

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS

Dallas Division

ORIGINAL

2015 APR 16 PM 3:39

DEPUTY CLERK RAV

RANDY ALGOE

Plaintiff

v.

STATE OF TEXAS Et Al, - SEE ATTACHED

Defendant

**3-15CV-1162D**

Civil Action No.

COMPLAINT

Title 42 U.S.C. 1983, 1985, 1986, and others. Please see attached.

Date Apr 15, 2015

Signature

Print Name

Randy Algoe

Address

P.O. Box 821103

City, State, Zip

N. Richland Hills, TX 76182

Telephone

3

ORIGINAL

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

2015 APR 16 PM 3:39

DEPUTY CLERK RAN

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS

RANDY ALGOE,  
WE THE PEOPLE

Plaintiffs,

vs.

STATE OF TEXAS,  
STATE OF FLORIDA,  
CITY OF GRAND PRAIRIE,  
CITY OF IRVING,  
UNITED STATES OF AMERICA,  
ROBERT HARRIGILL,  
STEVEN MCCRAW,  
BRIAN RIEMENSCHNEIDER,  
DAVID B. ACKERMAN,  
TERRY D. TERRELL,  
CSI,  
PATRICIA NASWORTHY,  
CANDACE CHAPPELL,  
MEGAN SUAREZ,  
CHAD BULL,  
RODNEY ADAMS,  
A. LOTSPEICH,  
SEAN WARD,

Et Al, DOES 1-100

Defendants.

CASE NO.

**3-15CV-1162D**

COMPLAINT OF DEPRIVATION  
OF RIGHTS (TITLE 42 USCS  
§§ 1983, 1985, 1986,  
1988)

JUDGE:

DEMAND FOR JURY TRIAL

REMOVAL FROM STATE COURT AND VERIFIED COMPLAINT

JURISDICTION AND VENUE

1. This action is in response to the driver's license  
revocation and of ALGOE'S rights and privileges abstracted by the

1 Texas DPS and in conspiracy and collusion with the Florida Courts,  
2 which raises several federal questions referenced herein, and arises  
3 under and has its origin in the Constitution of the United States of  
4 America Article III section 2 clause. 1; Amendments I, IV, V, VI,  
5 VIII, IX, and XIV U.S. Constitution and is supplemented with Title  
6 18 U.S.C. §§ 241, 242, 245, 1951; and Title 42 U.S.C. §§ 1983, 1985,  
7 1986 and 1988; Article I, Section 10, Clause 1: No State shall enter  
8 into any Treaty, Alliance, or Confederation; grant Letters of Marque  
9 and Reprisal; coin Money; emit Bills of Credit; make any thing but  
10 gold and silver Coin a Tender in Payment of Debts; pass any Bill of  
11 Attainder, ex post facto Law, or Law impairing the Obligation of  
12 Contracts, or grant any Title of Nobility; and Clause 3: No State  
13 shall, without the Consent of Congress, lay any Duty of Tonnage,  
14 keep Troops, or Ships of War in time of Peace, enter into any  
15 Agreement or Compact with another State, or with a foreign Power, or  
16 engage in War, unless actually invaded, or in such imminent Danger  
17 as will not admit of delay; Article IV, Section 1: Full Faith and  
18 Credit shall be given in each State to the public Acts, Records, and  
19 judicial Proceedings of every other State. And the Congress may by  
20 general laws prescribe the Manner in which such Acts, Records and  
21 Proceedings shall be proved, and the Effect thereof; Article IV,  
22 Section 2, Clause 1: The Citizens of each State shall be entitled to  
23 all Privileges and Immunities of Citizens in the several States;  
24 Article VI, Clause 2: This Constitution, and the Laws of the United  
25 States which shall be made in Pursuance thereof; and all Treaties  
26 made, or which shall be made, under the Authority of the United  
27 States, shall be the supreme Law of the Land; and the Judges in  
28

1 every State shall be bound thereby, any thing in the Constitution or  
2 Laws of any State to the Contrary notwithstanding; Clause 3: The  
3 Senators and Representatives before mentioned, and the Members of  
4 the several State Legislatures, and all executive and judicial  
5 Officers, both of the United States and of the several States, shall  
6 be bound by Oath or Affirmation, to support this Constitution; but  
7 no religious test shall ever be required as a qualification to any  
8 office or public trust under the United States; as a result of the  
9 Defendants violating vested Rights of the Plaintiff under Color of  
10 State law.

11 2. Jurisdiction is conferred upon this Court by U.S.C. Title  
12 28, sections 1331 and 1343(a)(1)(3)&(4).

13 3. Venue is appropriately placed as the acts and practices  
14 alleged herein occurred in the State of Texas, which is in this  
15 judicial district, but a part of such acts were unlawfully initiated  
16 by the State of Florida by an unlawful demand for Texas to take  
17 actions against plaintiff under color of law against a citizen of  
18 Texas (a Texas born and raised descendant of the founding fathers of  
19 Texas), thereby establishing diversity jurisdiction in the Texas  
20 Federal Court, and the jurisdiction is proper due to other injuries  
21 initiated by the several individuals and government bodies within  
22 the State of Texas, that have intentionally and wantonly compounded  
23 the bad acts of the illegal Florida demands of the Texas government.

24 **PARTIES**

25 4. Plaintiff **RANDY ALGOE**, (hereafter ALGOE) was at all times  
26 mentioned herein a resident of the State of Texas.  
27  
28

1           5. Defendant, **STEVEN MCCRAW**, (hereafter MCCRAW) is now and  
2 was all times herein mentioned employed by the State of Texas, as  
3 Director of the Department of Public Safety and judicial officer of  
4 the court, and resides in Travis County, Texas (as far as I know);

5           6. Defendant **BRIAN RIEMENSCHNEIDER** (hereinafter  
6 RIEMENSCHNEIDER), is now and was all times herein mentioned employed  
7 as attorney/agent and judicial officer of the court for the Texas  
8 Department of Public Safety, and resides in Travis County (as far as  
9 I know);

10          7. Defendant **ROBERT HARRIGILL** (badge # 2393), (hereafter  
11 HARRIGILL), is now (as far as I know), and at all times herein  
12 mentioned acting as a Florida Highway Patrol Trooper, a judicial  
13 officer of the court in the State of Florida, and resides in the  
14 State of Florida (as far as I know);

15          8. Defendant **DAVID B. ACKERMAN** (hereinafter ACKERMAN) is now  
16 and at all times herein mentioned was a Judge for the County Traffic  
17 Court of Escambia County, Florida, a judicial officer of the court,  
18 and resides in Escambia County, Florida (as far as I know);

19          9. Defendant **TERRY D. TERRELL** (hereinafter TERRELL) is now  
20 and at all times herein mentioned was a Judge for the County Circuit  
21 Court of Escambia County, Florida, a judicial officer of the court,  
22 and resides in Escambia County, Florida (as far as I know);

23          10. Defendant **CSI** (hereafter CSI) is now and at all times  
24 herein mentioned was a Corporation doing business within the State  
25 of Florida, an agency of the courts of Florida with the address of  
26 180 E. Burgess Rd. Pensacola, FL. 32503;  
27  
28

1           11. Defendant **PATRICIA NASWORTHY** (hereafter NASWORTHY) is now  
2 and at all times herein mentioned was an assistant prosecutor of the  
3 Municipality of Grand Prairie, Texas, a judicial officer of the  
4 court, and resides in Tarrant County Texas (as far as I know);

5           12. Defendant **MEGAN SUAREZ** (hereinafter SUAREZ) is now and at  
6 all times herein mentioned was an assistant prosecutor of the  
7 Municipality of Grand Prairie, Texas, a judicial officer of the  
8 court, and resides in Dallas County, Texas (as far as I know);

9           13. Defendant **CHAD BULL** (hereinafter BULL) is now and at all  
10 times herein mentioned was a Judge for the Municipality of Grand  
11 Prairie, Texas, a judicial officer of the court, and resides in  
12 Dallas County, Texas (as far as I know);

13           14. Defendant **SEAN WARD** (hereinafter WARD) is now and at all  
14 times herein mentioned was a Police Officer for the Municipality of  
15 Grand Prairie, Texas, a judicial officer of the court, and resides  
16 in Dallas County, Texas (as far as I know);

17           15. Defendant **CANDACE CHAPPELL** (hereafter CHAPPELL) is now  
18 and at all times herein mentioned was an assistant prosecutor of the  
19 Municipality of Irving, Texas, a judicial officer of the court, and  
20 resides in Dallas County, Texas (as far as I know);

21           16. Defendant **RODNEY ADAMS** (hereafter ADAMS) is now and at  
22 all times mentioned herein was a Judge for the municipality of  
23 Irving, Texas, a judicial officer of the court, and resides in  
24 Dallas County, Texas (as far as I know);

25           17. Defendant Officer **A. LOTSPEICH** ID # 965 (hereinafter  
26 LOTSPEICH) is now and at all times herein mentioned was a Police  
27  
28

1 Officer for the Municipality of Irving, Texas, a judicial officer of  
2 the court, and resides in Dallas County, Texas (as far as I know);

3 18. All Defendants listed herein individually, jointly, and  
4 severally acted, colluded, and conspired with each other and others  
5 not only to obstruct justice in general, but they have each and all  
6 participated in falsifying the record in an unreasonable and  
7 unconscionable effort to specifically target and unlawfully  
8 intimidate and fatigue ALGOE into compliance, initiated for merely  
9 wanton revenue enrichment purposes (Hobbs Act violations), and in  
10 doing so they furthered their abuses by retaliation against ALGOE  
11 for his standing up to them and the government (Title 18 and Title  
12 42 violations), thereby and therein depriving ALGOE of his several  
13 rights, privileges, and immunities to some degree with each other  
14 and others, and as of yet with unidentified does 1-100 herein named  
15 as Defendants and therefore as each being judicial officers of the  
16 court in the State of Texas, and the State of Florida respective to  
17 HARRIGILL, ACKERMAN, and TERRELL, and the other Defendants  
18 respective to their individual offices, acted in defiance of the  
19 U.S. Constitution, the Florida Constitution, the Texas Constitution,  
20 and the several rules of law of the United States, the State of  
21 Florida, and the State of Texas, in Dallas County, Travis County,  
22 and Tarrant County, Texas; and Escambia County, Florida respective  
23 to HARRIGILL, ACKERMAN, and TERRELL; and/or respective to the  
24 jurisdictions of the other Defendant's offices. These acts are  
25 understood and considered by ALGOE to be several criminal violations  
26 of the Hobbs Act, the RICO Act, the Brady Rule, and in the case of  
27  
28

1 SUAREZ in collusion with BULL, SOLICITATION OF BRIBERY via the  
2 offering by SUAREZ of the acceptance of a fee of \$25 that Judge BULL  
3 charges - to alter the official record. This is the exact reason  
4 ALGOE demanded that ALL hearings be done on the record, but both the  
5 Grand Prairie and Irving municipal courts intentionally violated the  
6 procedures of court to deprive ALGOE of such things thereby failing  
7 to abide by that lawful demand, and in fact NO PRETRIAL HEARINGS  
8 EVER TOOK PLACE BECAUSE JUDGE'S ADAMS AND BULL FAILED TO APPEAR,  
9 THEREBY BREACHING THEIR OATHS OF OFFICE AND THEIR CONTRACTS FOR  
10 EMPLOYMENT TO FAITHFULLY EXECUTE THE LAW AND PERFORM ALL REQUIRED  
11 DUTIES, thereby waiving all subject matter jurisdiction. These  
12 things were in addition to their failures to establish subject  
13 matter jurisdiction in the first place by verifying the evidence of  
14 the cases, and verifying that ALL elements that a crime was  
15 committed had been satisfied, including the production of any  
16 injured party adversary. These things are in addition to their  
17 intentional failure to produce discovery. Such intent to obstruct  
18 justice and deprive ALGOE of his due process rights is verified in  
19 the emails of NASWORTHY and CHAPPELL (and others) (attached hereto),  
20 where their plot is described and defined, - the intent to deprive  
21 ALGOE of the discovery with an eye towards putting him in jail in  
22 retaliation for his merely propounding the discovery demands. Each  
23 such conspiracy has now been culminated and evidenced by the  
24 issuance of a warrant from each of the two municipalities for  
25 ALGOE'S arrest, and in furthering that criminal activity by  
26 conspiring with ADAMS and BULL (and others) to intentionally ignore  
27  
28



1 the laws cited by ALGOE in the motions to arrest judgment documents  
2 filed by ALGOE, thereby interfering with the due course of law and  
3 ALGOE'S rights thereof, and therewith obstructing justice in and of  
4 their own clerk's duties to file and perfect the appeals ALGOE  
5 demanded under State law. Thereby intentionally and wantonly  
6 proceeding again without subject matter jurisdiction since the  
7 notices of appeal had already been filed (thereby removing any  
8 jurisdiction they may have had) and compoundingly demanded that they  
9 be filed by the clerks. They intentionally ignored these demand  
10 because they wanted and plotted to submit ALGOE to the pains and  
11 frustrations of the loss of his liberty at the hands of an all  
12 powerful, tyrannical, and retaliatory criminal government.

13 Additionally, all such things have been committed with the intent to  
14 further the compounding injury to ALGOE to deprive ALGOE of a  
15 driver's license (the prime subject of this case for removal to  
16 Federal Court), thereby infringing upon and violating ALGOE'S  
17 constitutional natural law right to travel without fear of  
18 government intrusion and trespass of said rights and official  
19 oppression, as is evidenced by all acts and documents relative to  
20 this case (some of which are attached hereto). Further, ALGOE  
21 believes that a license to drive a vehicle should NEVER expire (or  
22 be revoked if there is no injury to an adversary) as the entire  
23 purpose of its creation was to insure one knew how to drive. It was  
24 never intended to be used as a tool of government control and  
25 oppression. Just like a pilot's license never expires, once a  
26 person has passed the basic qualifications test he/she has proven  
27  
28

1 the knowledge required for the intended purpose of the driver's  
2 license. But over time the state governments have manipulated such  
3 licenses into a tool for manipulation and control over the people's  
4 rights, as well as an unconstitutional tool to monitor who the  
5 people are and how they age, where they domicile, and how they  
6 travel, thereby invading and violating a persons natural law right  
7 to privacy, without probable cause that a crime has been committed  
8 against another, and done without warrant. Just like the 1<sup>st</sup> and 2<sup>nd</sup>  
9 Amendments, the government DOES NOT possess ownership interest over  
10 the natural law rights of the people, nor can it limit said rights;  
11 rights to free speech, rights to worship God, rights to bear arms,  
12 and even the right to travel; therefore it can NOT dictate  
13 restrictions thereof as long as the actions of the exercisers of  
14 said rights do not injure others or if there has been no strictly  
15 defined and evidenced eminent threat to others. Therefore, the  
16 government can not criminalize the exercise of the natural law right  
17 to travel, such laws and restrictions are not only unconstitutional,  
18 but are forbidden ex post facto. Further, We The People have NOT  
19 explicitly conveyed authority to the government to control or  
20 monitor our several rights against our will either, which makes this  
21 entire case of abuses also in violation of ALGOE'S and The People's  
22 9<sup>th</sup> Amendment Right(s). All such restrictions are therefore  
23 unconstitutional as ex post facto laws to the 9<sup>th</sup> Amendment as well  
24 as the other Amendments referenced herein. ALL SUCH ACTS WERE  
25 COMMITTED ILLEGALLY - UNDER COLOR OF LAW AND COLOR OF OFFICE.  
26  
27 Further, ALGOE believes that if the tax payers were made aware of  
28

1 these abuses, ultimately at the tax payer's expense, they'd be  
2 outraged and demand investigative and prosecutorial accountability  
3 to be ordered by this federal court, as is herein demanded. ALGOE  
4 is also keenly aware that this federal court does not want to  
5 acknowledge such sweeping confirmation of government abuses and will  
6 most likely think of some reason to avoid it, which ALGOE believes  
7 would be another deprivation of his rights, but he requests that the  
8 court do so anyway and face the hard questions in the interest of  
9 the purpose of the Constitution - to ensure FREEDOM of the American  
10 people from government overreach and abuse. The lack of such  
11 oversight protections against abuses in the past is exactly why we  
12 see riots and shootings in the streets all across the land. This  
13 court and all courts need to once again stand up for the rights of  
14 the people and put government back in its place. That is your  
15 contract with us and that's what we pay you to do! When government  
16 refuses to protect the rights of the people, the people retain the  
17 unalienable right to remove them from office and replace them with  
18 those that will. And that is what ALGOE is requesting herein by  
19 this suit and petition, for this court to protect and defend the  
20 Constitution and all citizens' rights by removing the abuser  
21 Defendants in these related cases from office. If they did these  
22 things to ALGOE in these minor issues for wanton Hobbs Act  
23 violations for revenue, then they will violate the rights of others  
24 in more serious issues. They have destroyed the integrity and trust  
25 in and of the judiciary and it's now up to this court to restore it.  
26  
27  
28

1           19. All Defendants are sued in their individual and official  
2 capacities for acts against ALGOE and the People under Color of Law.  
3 ALGOE has reason to believe this is a pattern of abuse and each  
4 Defendant shall be personally liable to him and the People.

5           20. The true names and capacities whether individual,  
6 official public servant, corporate, associated, or otherwise, of  
7 other persons who contributed to the actions which resulted in the  
8 damages claimed herein are unknown to Plaintiff at this time and are  
9 therefore listed as DOES 1-100. ALGOE is informed and believes, and  
10 thereon alleges, that each of these known and unknown Defendants are  
11 responsible in some manner and to some degree for the occurrences of  
12 violations herein alleged, and that ALGOE'S damages as herein  
13 alleged were proximately caused by such Defendants.

14           21. At all times mentioned, each known and unknown Defendant  
15 was an agent, servant and/or employee of co-defendants, and in  
16 committing the acts alleged, were acting within the course and scope  
17 of such agency.

18                           **STATEMENT OF FACTS**

19           22. ALGOE incorporates paragraphs 1 through 21 as though  
20 fully set forth herein.

21           23. On or about 11-18-2005 ALGOE was traveling from Texas to  
22 Florida as he was deployed there under contract with FEMA after  
23 hurricane Wilma.

24           24. While traveling through Escambia County, Florida on  
25 interstate 10, HARRIGILL, an FHP Trooper who was parked in waiting  
26 and disguised in the dark under an overpass and behind the pillars  
27 thereof, pulled ALGOE over and later alleged a charge of speeding 49  
28 mph in a 40 zone (see attached Exhibit "A" attached hereto), which

1 he later admitted under oath was a falsification of the official  
2 record. The citation, labeled "non-criminal," (civil infraction)  
3 was issued that referenced the "CRIME" of speeding which the code  
4 states "Shall not exceed 70 mph" (again refer to Exhibit "A"  
5 attached hereto). Prior to this citation being issued however, as  
6 ALGOE was progressing to pull off the interstate highway in the dark  
7 of night to get to a safe place to stop - for HARRIGILL's safety as  
8 well as ALGOE's and others, HARRIGILL, driving extremely radically,  
9 jumped the curb of the off-ramp, pulled up along side ALGOE and  
10 expressed extreme and even apparently deranged anger by screaming  
11 and waving his finger at ALGOE through his closed passenger window,  
12 as both continued up the off-ramp. ALGOE rolled down his window in  
13 shock and bewilderment to the bizarre conduct of the trooper and  
14 gestured "What?" with his facial expression. **HARRIGILL then**  
15 **attempted to ram ALGOE's SUV twice**; nearly causing ALGOE to crash  
16 into the guard rail on the first attempt, and causing ALGOE to come  
17 to an abrupt stop to avoid crashing into a street sign near the end  
18 of the guard rail on the second attempt.

19 25. HARRIGILL then leaped out of his police cruiser, gun  
20 drawn and yelling obscenities at ALGOE that were extremely offensive  
21 to ALGOE, who is a Christian and deeply offended by the use of the  
22 word "Goddamn."

23 26. ALGOE was in fear for his life at this point and tried to  
24 calm HARRIGILL by calmly, but firmly asking "MY GOD, WHAT IS WRONG  
25 WITH YOU." Hoping HARRIGILL would realize his conduct was extreme  
26 and unreasonable, thus backing down. But to no avail.

27 27. ALGOE tried to explain that he was working for FEMA,  
28 coming to Florida to help Floridians. But instead of accepting

1 ALGOE's attempt to calm the situation, HARRIGILL screamed more  
2 offensive profanities and lodged insults such as "I DON'T GIVE A  
3 SHIT WHO YOU WORK FOR..."

4 28. HARRIGILL then, while still holding ALGOE at gunpoint,  
5 ordered ALGOE out of the vehicle and to the back of the SUV. ALGOE  
6 complied without argument or resistance, still fearing for his life  
7 and unsure if HARRIGILL was even a real cop, even looking around for  
8 a place to escape if the need arose. But the area of the off ramp  
9 was dense with foliage and the nearest places of business to run to  
10 for help were both too far away and most likely closed at that time  
11 of night. So ALGOE stayed and tried to remain calm himself,  
12 believing that his calm demeanor would calm HARRIGILL too. It did  
13 not.

14 As this complaint is being prepared, the video of North  
15 Charleston, S.C. Police Officer Michael T. Slager has  
16 surfaced, showing Walter Scott being murdered by Officer  
17 Michael T. Slager as he fled in fear of his life, which  
18 brings back traumatic mental injuries to ALGOE as he is  
19 forced to recall his life fearing encounter with Trooper  
20 HARRIGILL. This is a continuing mental and emotional  
21 injury suffered by ALGOE every time he sees such abuses  
22 by public servants to other citizens. And ALGOE believes  
23 this is a continuing injury to all others that have  
24 suffered similar events, and especially where the  
25 oversight authorities that have been made aware of such  
26 abuses enable the continuing abuses by failing to hold  
27 the abusers accountable. That failure to uphold their  
28 oaths of office to defend the Rights of the citizens is a  
compounding mental injury against ALGOE.

1  
2 29. HARRIGILL then, out of the blue, threatened to throw  
3 ALGOE in jail if he didn't change his attitude. In complete shock,  
4 ALGOE asked "for what?" HARRIGILL then stated "You've got your  
5 hands on your hips like you've got some kind of GODDAMN ATTITUDE,  
6 BOY!" At such point of escalated shock, while refraining from  
7 uttering a single word, realizing HARRIGILL was seeking  
8 confrontation from ALGOE to give him a reason to further violate  
9 ALGOE's rights, ALGOE just went along by dropping his hands to his  
10 side, but then subconsciously put his thumbs in his pockets, with  
11 his hands dangling outside of them. HARRIGILL then screamed "THAT'S  
12 IT, YOU'RE GOING TO JAIL!" And reached behind himself for his  
13 handcuffs. At which point, ALGOE asked "For what cause?" HARRIGILL  
14 then responded "YOU BETTER JUST CHANGE YOUR GODDAMN ATTITUDE." And  
15 ALGOE then again bit his tongue and simply stood there not uttering  
16 a single word, under absolute fear for his life and liberty and  
17 under extreme duress, directly and deliberately caused by HARRIGILL.

18 30. HARRIGILL then said "Give me your Drivers License." And  
19 ALGOE, being sure not to make any motions with his hands due to his  
20 fear HARRIGILL could, even accidentally, pull the trigger as he had  
21 his finger on the trigger, not the trigger guard, ALGOE verbally and  
22 calmly responded "it's in there," nodding towards the SUV.

23 31. HARRIGILL then screamed the command again. ALGOE  
24 believed that command must mean "go get it" so he stepped towards  
25 the SUV and away from HARRIGILL to comply. At which point HARRIGILL  
26 lunged forward hitting ALGOE in the chest with his left hand while  
27 still holding ALGOE at gunpoint with the gun in his right hand,  
28

1 knocking ALGOE back a few feet. Under extreme duress ALGOE was now  
2 shocked that this officer of the court, a public servant, had just  
3 assaulted him at gunpoint, and fearful of what else he may do.

4 32. HARRIGILL then again screamed "I TOLD YOU TO GIVE ME YOUR  
5 GODDAMN DRIVERS LICENSE." ALGOE then somewhat frustrated and  
6 profoundly distressed stated "Yeah, it's IN THERE!" Nodding his head  
7 again towards the SUV, but more pronounced this time, while still  
8 refusing to give HARRIGILL the satisfaction of a confrontation.

9 33. HARRIGILL then moved towards the SUV's open door, and  
10 proceeded to dodge in and out of the door, and peering into the back  
11 windows with his gun still drawn. He then walked backwards to his  
12 cruiser while keeping his gun pointed at ALGOE, and retrieved his  
13 large flash light, then finally holstering his pistol. He then  
14 entered ALGOE's SUV, having never requested permission from ALGOE to  
15 search it, and rummaged through the contents therein. He then stood  
16 outside of the SUV and asked if ALGOE had any weapons in the  
17 vehicle. ALGOE responded "No." HARRIGILL then continued searching  
18 through the SUV, then again stood up and asked ALGOE where his  
19 wallet was. ALGOE replied that it was between the console and seat.  
20 HARRIGILL then retrieved it, held it up, and asked if that was it,  
21 to which ALGOE affirmed that it was. HARRIGILL then approached  
22 ALGOE who was still standing at the back of the SUV and gave him his  
23 wallet and again said, "Now give me your driver's license." Still  
24 under extreme duress, ALGOE complied without saying a word.

25 34. HARRIGILL then instructed ALGOE to get back in his  
26 vehicle, and ALGOE complied.

27 35. HARRIGILL then got back in his cruiser and started to  
28 drive off. ALGOE then questioned in his mind "where is this guy



1 going with his license?" and again questioned if this was even a  
2 real cop and if this was a ruse to steal ALGOE's ID. But HARRIGILL  
3 then made a radical U-turn over the curb, speeding off in the  
4 opposite direction, then making another radical U-turn over the curb  
5 again, then pulling up to stop behind ALGOE's SUV. Sitting there  
6 for several long minutes before again approaching ALGOE's window to  
7 give him a citation.

8 36. HARRIGILL, much calmer now, then handed ALGOE the  
9 citation to sign and again berated ALGOE for not pulling over  
10 **IMMEDIATELY** when ALGOE saw the blue lights (note: all Texas police  
11 cars have blue AND red lights, and ALGOE was not familiar with  
12 police cars with only blue lights, but ALGOE was pulling off the  
13 freeway anyway, just in case). ALGOE then attempted to explain yet  
14 again that he was trying to pull off to a safe place, by stating,  
15 "look, I'm a pilot and probably because of my training I was just  
16 trying to be safe and pull off to a safe place," but HARRIGILL  
17 erupted with "**I DON'T GIVE A SHIT THAT YOU'RE A PILOT!**" To which  
18 ALGOE attempted to argue by stating "Look, I've seen those videos  
19 where cops get hit by passing cars just like you have, so I was  
20 trying to get to a safe place for you and me and everyone else," to  
21 which HARRIGILL replied, "**THAT'S BULLSHIT, RANDY!**" -- At that point  
22 ALGOE just clammed up as he desperately just wanted to get away from  
23 this rogue and abusive cop before he trumped up some other  
24 fictitious charge and/or again assaulted ALGOE. ALGOE signed the  
25 citation and asked how he could get back on the freeway. HARRIGILL  
26 answered and ALGOE drove away.  
27  
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1           37. Having never before been treated like that, ALGOE then  
2 called 911 on his cell phone to report the crime as he crossed the  
3 Escambia county line. Dispatch then transferred the call to the  
4 Florida Highway Patrol head quarters in Tallahassee. ALGOE lodged  
5 his complaint and added that not only is this guy out of control,  
6 but that ALGOE had a feeling this guy was a racist and if ALGOE had  
7 not been white, he may have even suffered more injury. The FHP LT.  
8 then apologized profusely and added that pulling off the freeway is  
9 exactly what we instruct all people to do. Then assuring ALGOE that  
10 a full investigation would be done by his superiors. ALGOE then  
11 said he wanted the internal affairs of the HQ to do the  
12 investigation because he expected the dash cam and body mic, and any  
13 other evidence would be destroyed by HARRIGILL and his co-worker  
14 buddies, and ALGOE wanted it all preserved, including this call to  
15 911 and with the LT. The LT. then explained that it had to go  
16 through the proper chain of command. -- An investigation was NOT  
17 conducted until over a year later at ALGOE's renewed demand for  
18 such. And as expected the evidence had been destroyed.

19           38. ALGOE meanwhile filed a not guilty plea and motion to  
20 dismiss for the citation (see Exhibit "A" attached hereto), and also  
21 submitted discovery demands. All such demands were ignored. ALGOE  
22 then filed a motion to dismiss for failure to produce discovery. It  
23 too was ignored.

24           39. ALGOE appeared telephonically for the trial and possesses  
25 an audio recording of such for evidence. He argued again for an  
26 immediate dismissal, and such was denied. ALGOE then asked if the  
27 jury was present. The judge then informed ALGOE that there was no  
28 jury because ALGOE was not entitled to a jury trial or discovery as

1 this was a civil infraction. ALGOE argued that he had not entered  
2 into any contract and he was being accused of a crime as stated on  
3 the non-criminal citation, with reference to a code that was  
4 considered a crime - which stated "shall not exceed 70 mph" (see all  
5 Exhibits attached hereto) and that 49 was lower than 70, therefore  
6 by the trooper's own admission there was no violation of any law.  
7 ALGOE was found guilty anyway. ALGOE feels this was nothing less  
8 than Extortion and Racketeering by a kangaroo court seeking revenue,  
9 in violation of the Hobbs Act and RICO Act, which gives the Federal  
10 Court subject matter jurisdiction just for this issue alone.

11 40. ALGOE went through the appeals process, and finally filed  
12 a notice of removal to Federal Court (see Exhibits attached hereto)  
13 here in the Northern District of Texas under diversity and for a  
14 multitude of civil rights violation.

15 41. The Florida Supreme Court then erred by taking possession  
16 of the case.

17 42. During such time, and notably after the notice of removal  
18 to Federal Court had been filed, the lower Florida court itself,  
19 having no jurisdiction at all, then sent the Texas DPS a letter  
20 demanding ALGOE's license be revoked, claiming authority under the  
21 terms of the Drivers Compact, which ONLY APPLIES TO COMMERCIAL  
22 DRIVERS LICENSES, not standard issue driver's licenses. Such demand  
23 was unlawful for MANY reasons, and in violation of the stated  
24 purpose of said compact. First, ALGOE believes that such a Compact  
25 is unconstitutional as the U.S. Constitution states such compacts  
26 are forbidden unless the states are under immediate and eminent  
27 threat of foreign invasion. There is no such evidence that's ever  
28

1 been presented that the compact was entered into under such  
2 conditions, therefore the compact is unconstitutional and invalid.  
3 Further, this provision of the Constitution is set out to forbid  
4 such compacts as the Constitution was created to DEFINE the limits  
5 of government as having ONLY the authority to PROTECT the Rights of  
6 the Citizens rather than allowing government to abuse their  
7 authority over the rights of the citizens. In other words, the  
8 States can not enter into an agreement that would deprive or violate  
9 the due process and equal protection rights of the citizens.  
10 Therefore, in this case the State of Texas violated ALGOE's  
11 Constitutional rights and privileges by unlawfully acting upon that  
12 unlawful and unconstitutional demand by Florida without proper  
13 authority of law to do so, and the State of Texas failed to verify  
14 that all laws were followed and all ALGOE's rights and privileges  
15 had been afforded him, as is a mandatory requirement of said  
16 compact. Secondly, even if found to be constitutional, the compact  
17 itself states that it is ONLY INTENDED FOR SERIOUS VIOLATIONS OF  
18 LAW, SUCH AS DUI, DWI, VEHICULAR MANSLAUGHTER, etc, therefore not  
19 only does it not apply to standard issue drivers licenses, but it  
20 does NOT apply to "civil Infractions," which ALGOE believes and  
21 asserts that civil infractions are by themselves unconstitutional  
22 because they are designed explicitly for the intent to circumvent  
23 and defy the Constitution by depriving the citizens of due process  
24 of law and equal protection of law, therefore this Federal Court  
25 must also take up this federal question of the compounding issue of  
26 the constitutionality of such abusive "civil infractions" and  
27 declare them unconstitutional for all the land. Further to the  
28 applicability of the compact, Civil Infractions are the lowest form

1 of an accusation, which by definition is below even a misdemeanor,  
2 therefore they by definition are NOT SERIOUS VIOLATIONS OF CRIMINAL  
3 LAW, and by the very nature of (contrived) civil infractions there  
4 is NEVER an injured adversary for the accused to face in court,  
5 therefore they have NO PLACE in the courts, therefore the courts are  
6 without subject matter jurisdiction. Therefore, the compact was  
7 wrongfully and abusively used by the State of Florida in the  
8 falsified accusation and abusive prosecution, and to manipulate the  
9 State of Texas into maliciously compounding the unlawful injuries  
10 upon ALGOE in an effort to violate the Hobbs act, to extort money  
11 for the purpose of REVENUE generation, and the State of Texas  
12 thereby conspired with the State of Florida to further said  
13 violations, and both did so with wanton intent to intimidate ALGOE  
14 into wrongful compliance by use of the courts and authorities that  
15 had no such authority or jurisdiction. Such acts are also in  
16 violation of the intent of our founding fathers as defined in the  
17 claims and terms of the Declaration of Independence and the  
18 Federalist Papers, even going back as far as the Magna Carta. ALL  
19 OF ALGOE'S STATE AND FEDERALLY GUARANTEED PROTECTIONS OF LAW WERE  
20 VIOLATED AND CONTINUE TO BE VIOLATED! ALGOE also believes that  
21 these continued violations should also be classified by the Federal  
22 Court as violations of the double jeopardy clause of the  
23 Constitution(s). Further, since such letter was sent from the lower  
24 Florida court, aside of that court trumping the Florida Supreme  
25 Court AND this Federal Court's jurisdiction, it was in violation of  
26 the very compact from which it claims as its authority for several  
27 reasons in addition to it not being applicable to less than serious  
28

1 crimes as it defines them, but the licensing division of the issuing  
2 (complaining) state is the proper and only authorized division to  
3 issue such letters to the home state of the accused, and said  
4 licensing authority is REQUIRED to follow a specific format, which  
5 they did not do. Additionally, the Compact states that the entire  
6 **PURPOSE OF THE COMPACT IS TO ASSURE APPEARANCE FOR TRIAL! ALGOE DID**  
7 **APPEAR AT TRIAL;** therefore the Compact has been and is again  
8 continuing to be misused for the wanton purpose of deprivation of  
9 ALGOE's several rights and privileges, and for extortion and  
10 racketeering and totalitarian dictatorship control over the rights,  
11 privileges, immunities, and authorities of the citizens and to  
12 intimidate the citizens into unlawful compliance of evil intent by  
13 the several public servants that swore oaths TO PROTECT the rights  
14 of the citizens. Additionally, the use of the compact for the  
15 **SERIOUS CRIMES** as defined therein must not only be done via properly  
16 filed request letter by the licensing division (not the court or any  
17 other entity) of that state, but also **NOT MORE THAN "6 MONTHS" FROM**  
18 **THE ISSUING OF THE CITATION!!!** The trial was not even conducted  
19 within a year, thereby not only violating the speedy trial clause of  
20 the Constitution(s), but the letter to the Texas DPS was sent more  
21 than a year afterwards, thereby voiding the letter request by  
22 default for that 6 month statute of limitation alone, even if the  
23 charge was a serious crime as defined in the Compact. In addition,  
24 since the citation was a NON-CRIMINAL accusation, and even if all  
25 laws were followed and due processes afforded, then the ONLY thing  
26 the Florida court could do, at worst, would be to issue a debt  
27 collection demand, which they unlawfully then did do. And if the  
28

1 debt was lawful, which again it was not, then they could only report  
2 it to the credit bureaus, which they UNLAWFULLY also then did do,  
3 which violated the fair debt collections practices act, another  
4 cause of action of this complaint and reason for federal question  
5 jurisdiction (again see all Exhibits attached hereto).

6 Additionally, ALGOE did contest the debt with the credit bureaus,  
7 who then in coordination, collusion, and conspiracy with the lower  
8 Florida court and its collection agent, CSI, violated the fair debt  
9 collection practices act by falsifying the record and failing to

10 verify it as lawful and/or accurate, including the falsification of  
11 the date, and failing to address the fact that the Supreme Court of  
12 Florida dismissed the case, and DID NOT REMAND THE CASE TO THE LOWER  
13 COURT, thereby again removing any and all jurisdiction of the lower

14 court. Further, NO COURT EVER ESTABLISHED CORPUS DELICTI; therefore  
15 failing to prove standing; therefore lacking merit; therefore NO

16 COURT EVER HAD PROPER SUBJECT MATTER JURISDICTION, except the  
17 Federal Court via ALGOE's notice of removal to said Federal Court  
18 for said civil rights violations. Further, Texas LAW has a four

19 year statute of limitations, which makes ALL debts public and  
20 private uncollectible after four years, therefore, ALL parties

21 mentioned herein that have taken part in the demands that ALGOE pay  
22 them money (Florida court personnel and the Texas DPS personnel)  
23 have committed several more violations of law against ALGOE for not  
24 only the threat of debtors jail, but for trespassing on the law and  
25 ALGOE'S several rights and privileges by usurping authorities and  
26 powers where they have none, falsifying the record, and unjustly and  
27 unlawfully interfering with ALGOE'S several rights and privileges,  
28



1 including ALGOE'S Constitutional right to travel without fear of  
2 government interference and/or persecution. Further, since the bad  
3 actors listed herein, in Florida and Texas both, have failed to  
4 establish standing as injured parties, they have falsified the  
5 records by claiming money is owed them, when they have presented  
6 ZERO evidence or even a claim that they have been injured  
7 adversaries, and they've both thereby intentionally taken steps to  
8 retaliate under color of law, as abusive government bodies, to  
9 deprive a citizen (ALGOE) of his rights and privileges under false  
10 light, therefore they are each and all in breach not only of their  
11 oaths of office, but in breach of their several contracts, thereby  
12 rendering themselves in violation of the law by usurping authorities  
13 where they each and all waived such authorities by default.

14 43. Even though the Florida Supreme Court took possession of  
15 the case after ALGOE filed an appeal, thereby removing jurisdiction  
16 from the lower court, the Florida Supreme Court not only then  
17 dismissed the case, but erred in taking it in the first place by  
18 trumping the Federal Court Jurisdiction as ALGOE had also filed a  
19 notice of removal to the Federal Court with the notice of appeal as  
20 mentioned above (again see all Exhibits attached hereto), thereby  
21 effectively stopping ALL lower court jurisdictions, as well as the  
22 DPS's Jurisdiction to take any actions against ALGOE'S Drivers  
23 License. Further, the order of the Florida Supreme Court to deny  
24 the removal to Federal Court was done in error as the Florida  
25 Supreme Court has no authority or jurisdiction to do so. Therefore,  
26 the Federal court STILL has jurisdiction of this case, and it should  
27 now exact said powers to take possession of the case by perfecting  
28 the removal by its own motion and at the request to do so herein.



44. Defendants NASWORTHY, SUAREZ, CHAPPELL, WARD, LOTSPEICH, BULL, and ADAMS, each for their own parts, as will be shown by the record and evidence (in addition to all such evidence see Exhibit "D" and "E" attached hereto), have intentionally, knowingly, maliciously, and wantonly, and for the intended purpose of violating the Hobbs Act and RICO Act, deprived ALGOE of several protections of law, threatened ALGOE with Contempt of Court if he attempted to cite the law or the Constitution in his defense, violated the procedures of court, usurped authorities they did not possess, deprived ALGOE of discovery, deprived ALGOE of pre-trial hearings, allowed inadmissible evidence and testimony, trumped up charges of crimes against ALGOE while failing and refusing to produce any evidence whatsoever (including exculpatory) or an injured adversary and even refused to dismiss the case when the witnesses stated there were no injured parties of any kind, and at the same time admitting that everything ALGOE did was SAFE (thereby admitting and affirming no crimes were committed); these two courts generally refused to abide by any rule of law and then compounded the injuries caused by the State of Florida and the Texas DPS, and they did so not only with evil intent under color of law, but as criminal acts of retaliation, and they each did so in conspiracy with said plot created and devised by NASWORTHY and CHAPPELL, and all such persons acknowledgment of said plot were done with an eye towards depriving ALGOE of his several fundamental rights not only to due process and equal protection of law, but towards the stated goal of intentionally violate his Constitutional Right to liberty, and under threat of jail to ALGOE and thereby unlawful duress. ALL SUCH ACTS WERE INTENTIONAL ACTS OF OBSTRUCTION OF JUSTICE. THESE ABUSES ARE

**EXACTLY WHAT THE CONSTITUTION(S) WAS/(WERE) DESIGNED TO PREVENT.**

1 Additionally, by allowing judicial and or prosecutorial immunity,  
2 such immunities are in violation of the Constitution as a de facto  
3 TITLE OF NOBILITY, as such places the abusers above the law of the  
4 common citizens and enables the abusers to freely commit crimes  
5 without fear of prosecution for their abuses and violations of law;  
6 prosecutions that the citizens would be convicted of if committed by  
7 the citizens. When a public servant deprives a citizen of his/her  
8 Rights and Privileges, that public servant exceeds the limits of  
9 his/her office and authority; authorities explicitly granted by the  
10 governed; and by doing so he/she waives all jurisdiction and  
11 immunities and render their selves nothing more than mere  
12 interlopers, usurpers, and trespassers of the law, and  
13 simultaneously making themselves personally liable to the injured.  
14 Therefore each and all of the herein named and yet to be named  
15 should be joined into this action, as defendants in their individual  
16 capacities, responsible for their own legal expenses and costs of  
17 their defense; and the two cases relating to each of them (Irving  
18 and Grand Prairie traffic cases) shall also be merged with this one  
19 as the trespasses and violations of due process and equal  
20 protections of law in the Irving and Grand Prairie traffic citation  
21 cases are now part of this case by their ill intended acts to  
22 compound the injuries of the Drivers License issue they knew or  
23 should have known was an unlawful act to begin with, and such also  
24 helps establish the pattern of intended violations of laws by each  
25 of the bad actors related respectfully thereto. Further, the  
26 underlying cases associated with these abusers shall also be  
27 incorporated into this case as neither the Irving, nor Grand Prairie  
28

1 courts had proper subject matter jurisdiction as they both  
2 intentionally falsified the records and trespassed upon the rights  
3 and privileges of ALGOE as the record will show. Additionally, the  
4 evidence will show that PATRICIA NASWORTHY and CANDACE CHAPPELL (and  
5 conspiring with others) had a meeting of the minds and devised a  
6 plot to use the full force of government to retaliate against ALGOE  
7 by plotting his arrest, merely because ALGOE chose to exercise his  
8 constitutionally guaranteed rights to due process and equal  
9 protection of law to not only defend himself from prosecution and  
10 persecution, but to seek redress of grievances against his  
11 government. THESE ACTS ARE DOCUMENTED, AND ALGOE IS INFORMED AND  
12 BELIEVES, THEY WERE IN CRIMINAL VIOLATION OF STATE AND FEDERAL LAW  
13 (specifically Title 18 U.S.C. §§ 241, 242, and 245). ALGOE has  
14 filed criminal complaints with the Dallas CO DA, the FBI, the DOJ,  
15 the State Bar of Texas, and the Texas Commission of Judicial  
16 Conduct, and none of these oversight entities have lifted a finger  
17 to investigate and prosecute these crimes, thereby committing, as  
18 ALGOE understands and believes, MISPRISON OF FELONY, as well as  
19 breaches of their oaths and contracts, thus embezzlement of tax  
20 payer funds via their paychecks for their failure and refusal to  
21 perform the duties they were hired and contracted to perform,  
22 therefore it is hereby requested that this federal court assure that  
23 the State and Federal laws are protected and faithfully executed by  
24 ordering by writ of mandamus, and/or other proper instruments of  
25 law, that the oversight authorities execute their fiduciary duty to  
26 investigate and prosecute the offenders and their co-conspirators  
27 for their crimes against ALGOE and others, if others rights have  
28 been violated as ALGOE believes a proper investigation will reveal.

1 Further, in said investigation the terms of the offenders contracts  
2 MUST also be investigated, which ALGOE believes will reveal a  
3 multitude of breaches of said contracts for employment, thereby  
4 rendering the violators again in not only breach of their fiduciary  
5 duty and breach of their contracts, but without subject matter  
6 jurisdiction of the cases they prosecuted against ALGOE and others,  
7 as they have, by their own willful and intentional improper acts,  
8 voided and nullified their own contracts. They each and all  
9 viciously attack the citizens on trumped up false accusations of  
10 crimes, therefore they should be held accountable with extreme  
11 prejudice and without the benefits reduced scrutiny and/or  
12 accountability because they're part of the good ol' boys club of  
13 public servants, as all public servants are SUPPOSED to be held to a  
14 HIGHER standard of law than the general public. And We The People  
15 hereby expect and demand that this federal court to do just that.

16 45. Such investigations against ALL DEFENDANTS HEREIN KNOWN  
17 AND UNKNOWN shall also include charges for such as, but not limited  
18 to, Malfeasance, Misfeasance, Non-feasance respective to those  
19 individuals such may apply to upon discovery.

20 46. ALGOE believes that the evidence will show that ADAMS and  
21 BULL, both intentionally, willfully, and deliberately interfered  
22 ALGOE'S Rights by intentionally interfering with the duty of the  
23 court clerks by forbidding the clerks of those two courts from  
24 performing their duty to file and perfect the respective appeals as  
25 were demanded in the motion to arrest the judgments (see exhibits  
26 "D" and "E" attached hereto) - as it was anticipated by ALGOE that  
27 such motion would be unlawfully denied, because it is evident that  
28 these public servants could care less what the law is or what their

1 limits are and such things should be obvious to all reasonable and  
2 thoughtful persons, therefore it was demanded that the clerk files  
3 said appeals and the state law that REQUIRES them to do so was cited  
4 therein, but they illegally ignored the law and their duty. This is  
5 yet another act of public corruption of obstruction of justice and  
6 those party to such abuses should be investigated and prosecuted for  
7 their crimes, and such is hereby demanded.

8 47. Further, Officer WARD was informed by the others named in  
9 this suit and believed, as is on record, that he would receive  
10 additional pay for appearing to testify, and thereupon procuring a  
11 conviction, by such he would then profit from such conviction. This  
12 issue raises another federal question in this case as to the  
13 intentional and wanton violations of the Hobbs Act, the RICO Act,  
14 and the Brady Rule. It also makes the witness into an interested  
15 party - a bought and paid for bias and prejudice so-called witness.

16 Therefore his testimony was inadmissible for this reason in addition  
17 to his failure to respond to discovery, which was a result of the  
18 unlawful interference and influence by NASWORTHY. In fact,  
19 NASWORTHY stated on the record that she had just shown WARD the  
20 discovery a few minutes prior to trial, thereby admitting that she  
21 intentionally withheld it from him since it was filed AND thereupon  
22 ordered by the court to be responded to. Therefore, NASWORTHY  
23 effectually again admitted to obstruction of justice and her intent  
24 to do so. Further evidence that these things are intentional,  
25 wanton, contrived, and malicious is evidenced by a now exposed  
26 letter from Missouri (see Exhibit "F" attached hereto). Almost all  
27 of these criminal organizations made themselves into such by putting  
28

1 the revenue from traffic ticket citations into their budgets,  
2 thereby affirming intent to violate the Hobbs Act and RICO Act on a  
3 daily bases, nationwide. ALGOE believes that similar communications  
4 will also exist in the records of the municipalities of Irving and  
5 Grand Prairie if a proper government audit is done, and as is hereby  
6 demanded.

7 48. Further, the acts described above, ALGOE believes, were  
8 part of the bigger plot to create the situation to give a contrived  
9 excuse for the abusers to produce warrants for ALGOE'S arrest. Such  
10 can only be interpreted as and defined as the acts of a criminal  
11 enterprise hell bent on violating every rule of law there is to  
12 unlawfully intimidate and punish ALGOE and others into paying  
13 extortion money, with the threat of illegal government power to  
14 imprison anyone that even attempts to defend themselves in a legal  
15 proceeding, or as in the Grand Prairie case, by simply propounding  
16 discovery. ALGOE believes these acts, as are exposed in the emails  
17 these several public servants (See Exhibit "E" attached hereto), as  
18 well as other records, expose the plot, not only to deprive ALGOE of  
19 his several rights, obstruct justice, and commit unlawful  
20 intimidation, but it also exposes a conspiracy to commit the state  
21 sponsored criminal act of kidnapping for ransom. ALGOE believes  
22 this to be true based upon the records as well as the fact that the  
23 two Municipal Courts (Irving and Grand Prairie) failed to establish  
24 subject matter jurisdiction and deprived ALGOE of ALL processes and  
25 protections of law, thereby waiving any and all jurisdiction  
26 authority of the courts, thereby acting extrajudicially to further  
27 their intentional violations of the Hobbs Act. Just the mere fact  
28 that these two courts deprived ALGOE of his rights to discovery and

1 allowed inadmissible evidence and testimony as well as the several  
2 admission for the witnesses, establish their actions were  
3 intentional, unfounded, willful, malicious, and generally highly  
4 illegal. Additionally, each and every one of these lower courts  
5 intentionally violated federal law by ignoring their duty to produce  
6 findings of facts and conclusions of law for each and all of their  
7 actions to deny motions filed by ALGOE. Further, open records and  
8 FOIA requests were file and the municipalities of Irving and Grand  
9 Prairie violated such laws and withheld records that were demanded,  
10 only producing a few records and intentionally failing to certify  
11 said records. ALGOE believes that all of these things are, at a  
12 minimum, intentional and wanton acts of obstruction of justice.  
13 Generally speaking, none of these public servants give a rats-ass  
14 what the law is as long as they can use their office to take the  
15 peoples money, and they'll do whatever they have to to that end. By  
16 their many wanton acts they have destroyed all integrity of the  
17 judiciary and simultaneously the trust of the people in the  
18 government.

19 49. It is also requested that the Federal Court order full  
20 blown QUO WARRANTO (or equivalent) investigations respective to the  
21 authorities and powers usurped by each and all of the defendants.

22 50. It is also requested that the Federal Court issue a Writ  
23 of Mandamus to order for a full blown investigation by the U.S.  
24 Inspector General and/or any other appropriate oversight authorities  
25 and auditors, and to order the prosecutions against the individuals  
26 listed herein and in the Justice Department and the FBI for their  
27 violations of law and breaches of oaths of office, such as but not  
28 limited to, Malfeasance, Misfeasance, Non-feasance, and Misprison of



1 felony for their several acts of ignoring the criminal complaints  
2 ALGOE initiated against those mentioned in such complaints and  
3 related hereto.

4 51. The actions complained of herein ALGOE is informed and  
5 believes were committed by the Defendants and were premeditated,  
6 intentional, and willful, done in an unreasonable manner, in  
7 concert, in bad faith, and under the Color of State and Federal law,  
8 respectively. Acting as herein believed and alleged, all Defendants  
9 also violated their personal and individual responsibility to act  
10 within the lawful confines of their authority and oaths of office,  
11 as well as in violations of their individual contracts with the  
12 citizenry (the people) for their employment, therefore ALGOE  
13 believes that upon proper investigation and discovery process, it  
14 will be evidenced that they each and all have breached said  
15 contracts and their contracts should be deemed by the Federal Court  
16 as null and void, therefore they should be ordered to repay the tax  
17 payers for the money they've unlawfully taken since their first  
18 breach of their oaths and breach of their individual contracts for  
19 employment, as well they should be ordered to pay compensatory  
20 damages to the tax payers and to the several other victims of the  
21 abuses therein committed; and their several occupational licenses  
22 should also be deemed null and void and revoked, and such is hereby  
23 requested. Said Defendants knew, or should have known, that their  
24 actions were unlawful and would result in the damages herein  
25 alleged.

26 52. Additionally the Defendants, individually, severally,  
27 and/or collectively, knew ALGOE'S Rights were being violated and  
28 because of such knowledge should have acted to prevent ALGOE'S



1 damages. Further, the records will show that their several acts  
2 were intentional, egregious, and malicious. They each and all had  
3 sworn fiduciary duties as well as contractual obligations to protect  
4 and defend the rights, privileges, and immunities of the people,  
5 including ALGOE, and they each did their parts to individually,  
6 severally, and collectively violate said protections against the  
7 government's abuses of ALGOE.

8 53. ALGOE also has reason to believe that some of the  
9 individual defendants referenced herein have already improperly used  
10 their personal contacts in the FBI and DOJ as well as other  
11 government agencies to unlawfully target ALGOE and effectively quash  
12 the complaints ALGOE has already filed against them. ALGOE requests  
13 that the Federal Court order, by Writ of Mandamus (or any and all  
14 other appropriate powers of the court), that the proper government  
15 authorities investigate any such abuses and prosecute any such  
16 abusers.

17 54. ALGOE also fears retaliation from the various government  
18 agencies and their overt and covert agents and hereby requests that  
19 the court issue not only an injunction against all such things, but  
20 also an order of protection. In addition, ALGOE also requests that  
21 the court assign council to monitor and control such activities and  
22 to prosecute the government and the individuals herein known and as  
23 of yet unknown in this case.

24  
25 **FIRST CAUSE OF ACTION**  
26 **Deprivation of State and Federal Constitutional Rights**  
27 **(Against All Defendants)**  
28

1           55. ALGOE incorporates paragraphs 1 through 54 as though  
2 fully set forth herein.

3           56. All defendants, by committing the above described  
4 Colorable Acts, effectively deprived ALGOE of his State and Federal  
5 Constitutional Rights of Due Process of Law, the Right to be secure  
6 against unreasonable seizure of his property and the Right to access  
7 the Court. ALL DEFENDANTS, by their Colorable Acts, precluded ALGOE  
8 from any meaningful hearings and resort to appellate or to other  
9 judicial remedies to prevent the losses herein described.

10           57. ALL DEFENDANTS signed and published Orders under Color of  
11 Law, that were extra judicial and meant to be critical of,  
12 prejudicial against, and defamatory of ALGOE and to deprive him of a  
13 livelihood and the free exercise of his several rights and  
14 privileges.

15           58. All of the above acts deprived ALGOE of certain  
16 unalienable Rights which are Constitutionally secured from  
17 government encroachment, including, but not limited to:

18           a. The Right to be free from unreasonable searches and  
19 seizures, as guaranteed by the Fourth Amendment and all appropriate  
20 and enumerated equivalent provisions of the Texas and Florida  
21 Constitutions,

22           b. The Right not to be deprived of life, liberty or  
23 property by government without Due Process of Law, as secured by the  
24 Fifth and Fourteenth Amendments and all appropriate and enumerated  
25 equivalent provisions of the Texas and Florida Constitutions,

26           c. The Right to equal protection of the laws, as  
27 guaranteed by the Fourteenth Amendment,  
28

1 d. The Right to be free from interference with the zone  
2 of privacy, as protected by the Fourth and Ninth Amendments and all  
3 appropriate and enumerated equivalent provisions of the Texas and  
4 Florida Constitutions,

5 e. The Right to access the Court as protected by the  
6 Fourteenth Amendment.

7 59. The Defendants, individually and in concert with the  
8 others, acted under pretense and Color of State law and in their  
9 official capacities, but such acts were beyond and/or outside the  
10 scope of their jurisdiction and the gross abuse of the power of  
11 their several offices were without authorization of law. The  
12 Defendants, individually and in concert with the others, acted  
13 willfully, knowingly, maliciously and with specific intent to commit  
14 the acts herein alleged, and they knew, or should have known, the  
15 damaging consequences of their actions upon the Plaintiff, ALGOE.

16 60. The actions herein alleged are a direct and proximate  
17 cause of damages incurred by ALGOE, which include, but are not  
18 limited to, violations of unalienable Rights protected from  
19 government abuse by Constitutional provisions and laws of the United  
20 States, financial loss, embarrassment, emotional stress,  
21 unreasonably instilled fear, duress, loss of respect, humiliation,  
22 severe mental stress, and loss of confidence in Court functions.

23  
24 **SECOND CAUSE OF ACTION**

25 **Deprivation of Constitutionally protected Rights**  
26 **Fraud on the Court**

27 **(Against All Defendants, officers of the Court, acting under**  
28 **the Color of Law)**

1           61. ALGOE incorporates paragraphs 1 through 60 as though  
2 fully set forth herein.

3           62. All Defendants used the Court, its power and its  
4 processes to deprive ALGOE of his Rights as enumerated above.

5           63. All Defendants, under the Color of Law and using the  
6 guise of government authority, communicated with and prejudiced  
7 numerous persons with whom ALGOE complained as true solely to damage  
8 ALGOE' reputation, business opportunities and ability to earn a  
9 livelihood in his pursuit of happiness.

10           64. All Defendants communicated contrived facts that they  
11 knew to be false to others in an effort to solicit harmful and  
12 prejudicial statements against ALGOE, and presented the information  
13 as fact to the various entities of government, including to the  
14 Court, therefore defrauding the Court.

15           65. All Defendants, under the Color of Law, communicated  
16 with numerous persons with whom ALGOE complained and, under the  
17 Color of Law, imparted false information and made prejudicial  
18 statement to those persons, and by so doing caused ALGOE irreparable  
19 damages.

20           66. All Defendants manipulated ALL OTHER DEFENDANTS to  
21 create facts and situations that were false in an effort to enrich  
22 themselves at the expense of ALGOE.

23           67. All Defendants knew that their acts under color of law  
24 were records of the government, thereby such records are evidence  
25 and testimony under oath, and therewith others were expected to rely  
26 on such misleading and false information as facts.

27           68. All Defendants defrauded the Court by their several  
28 intentional acts with an eye towards enriching themselves and the

1 entities from which they are employed and in violation of the Hobbs  
2 Act as well as the RICO Act.

3 69. By the action described above, All Defendants deprived  
4 ALGOE of his State and Federal Constitutional Rights to Due Process,  
5 Equal Protection, and to be secure from unreasonable seizure of his  
6 property and his person. By their acts described herein they have  
7 each committed fraud upon the Court.

8 **THIRD CAUSE OF ACTION**

9  
10 **(Intentional infliction of emotional distress)**  
11 **(Against all Defendants)**

12 70. ALGOE incorporates paragraphs 1 through 69 as though  
13 fully set forth herein.

14 71. The conduct as set forth herein, was extreme, outrageous  
15 and beyond the scope of conduct which should be tolerated by The  
16 People. In order to deliberately injure ALGOE, these named  
17 Defendants committed the extreme and outrageous acts described  
18 herein with intent to scare, intimidate, terrorize and inflict  
19 severe mental and emotional distress upon ALGOE.

20 72. As a direct and proximate result of these Defendants'  
21 willful, intentional and malicious conduct, ALGOE suffered severe  
22 and extreme mental and emotional distress.

23 **FOURTH CAUSE OF ACTION**

24 **(Conspiracy)**

25 **(Against all Defendants)**

26 73. ALGOE incorporates paragraphs 1 through 72 as though  
27 fully set forth herein.  
28

1 74. Defendants in a meeting of the minds and by their actions  
2 agreed together, to act in concert to willfully commit all or part  
3 of the acts herein alleged which deprived ALGOE of his  
4 constitutionally-protected Rights as stated herein, especially,  
5 however, the Fourth, Fifth, Ninth, and Fourteenth Amendments.

6 75. Defendants did the acts herein alleged willingly,  
7 maliciously and to intimidate and oppress ALGOE.

8 76. Said acts resulted in the direct or proximate cause of  
9 the damages to ALGOE which include but are not limited to financial  
10 loss, embarrassment, emotional stress, unreasonable fear, loss of  
11 respect, humiliation, severe mental stress, and loss of confidence  
12 in Court functions.

13 **FIFTH CAUSE OF ACTION**

14 **(False light)**

15 **(Against all Defendants)**

16 77. ALGOE incorporates paragraphs 1 through 76 as though  
17 fully set forth herein.

18 78. Numerous acts of false light by each defendant have been  
19 committed as evidence will show.

20 **SIXTH CAUSE OF ACTION**

21 **(Defamation)**

22 **(Against all Defendants)**

23 79. ALGOE incorporates paragraphs 1 through 77 as though  
24 fully set forth herein.

25 80. Numerous acts of Defamation by each defendant have been  
26 committed as evidence will show.

27 **SEVENTH CAUSE OF ACTION**

28 **(Libel)**

**(Against all Defendants)**

81. ALGOE incorporates paragraphs 1 through 80 as though fully set forth herein.

82. Numerous acts of Libel by each defendant have been committed as evidence will show.

**EIGHTH CAUSE OF ACTION**

**(FRAUD FOR FALSE REPORTING OF FDCPA)**

**(Against all Defendants)**

83. ALGOE incorporates paragraphs 1 through 82 as though fully set forth herein.

84. Violations of the Fair Debt Collections Practices Act by each defendant have been committed as evidence will show.

**NINTH CAUSE OF ACTION**

**(NEGLIGENCE)**

**(Against all Defendants)**

85. ALGOE incorporates paragraphs 1 through 84 as though fully set forth herein.

86. Numerous negligent acts by each defendant have been committed as evidence will show.

**SEVENTH CAUSE OF ACTION**

**(NEGLIGENT HIRING AND TRAINING)**

**(ALL RELEVANT DEFENDANTS)**

87. ALGOE incorporates paragraphs 1 through 86 as though fully set forth herein.

88. Numerous negligent acts of hiring and training by all relevant defendants have been committed as evidence will show.

**EIGHTH CAUSE OF ACTION**

(PHYSICAL AND MENTAL INJURY)

(AGAINST ROBERT HARRIGILL)

89. ALGOE incorporates paragraphs 1 through 88 as though fully set forth herein.

90. Physical assault and continuing mental injury/pain of mind. All Defendants knew or should have known of these abuses of ALGOE'S right and therefore had a duty to report them and prosecute such violators of law.

CONCLUSION:

All things complained of herein are part of and indicative of an overt pattern of abuses Nationwide. Nearly all lower state courts in the nation have been committing untold abuses against the people for wanton revenue generation and have been encouraged and enabled to commit such egregious acts by the lack of oversight and acts of malfeasance of the oversight authorities to hold public servants accountable for their abuses, which is why we see riots in all parts of the land, as well as police involved shootings. America, The Land of the Free, has become a joke as America has more people in prison than any other nation on the planet, and it is mostly due to the abuses and extortion agendas of the government, such as is detailed in this complaint. It is the SWORD DUTY of all officers of the courts and other public servants to PROTECT AND DEFEND the INDIVIDUAL'S RIGHTS. It is a criminal violation by said public servants to DEPRIVE THE PEOPLE OF THEM. This Court MUST faithfully execute the rule of law to defend the rights of the people, even against the government itself. THAT is the government's main, and I believe, ONLY real authority. To Protect US! - Especially from the government itself. And it is demanded that this court hereby now do so. If the federal court has any



1 integrity whatsoever, then is will be offended by the many acts of  
2 these lower courts and other public servants mentioned herein and do  
3 all things requested herein as its part to restore the trust if the  
4 people in the government. Under the Ninth Amendment powers of this  
5 citizen over the government, ALGOE hereby enters this legal demand  
6 that this Federal Court forthwith do all things requested herein,  
7 and any and all other things necessary as the court may deem just  
8 and proper to execute punishment upon those responsible public  
9 servants for their several bad acts. ALGOE is not an attorney and  
10 thereby requests that any error of process be waived by the court  
11 and/or ALGOE be afforded opportunity to make any corrections and/or  
12 amendments necessary. This is the Federal court's opportunity to  
13 effect sweeping change and to restore the rule of law to all the  
14 land, and ALGOE hopes the court will take this opportunity to do  
15 just that.

16  
17 "Republic. I like the sound of the word. It means people  
18 can live free, talk free, go or come, buy or sell, be drunk or  
19 sober, however they choose. Some words give you a feeling.  
20 Republic is one of those words that makes me tight in the  
21 throat - the same tightness a man gets when his baby takes his  
22 first step or his first baby shaves and makes his first sound  
23 as a man. Some words can give you a feeling that makes your  
24 heart warm. Republic is one of those words." ~ Davy Crockett  
(JOHN WAYNE), The Alamo.

25  
26 **PRAYER**

27 WHEREFORE, Plaintiff demands judgment for relief as  
28 follows:

- 1       1. For Writ of Mandamus (or other appropriate actions) for the  
2       Solicitor General to prosecute this case to faithfully  
3       defend and execute the laws of the United States against the  
4       abusers referenced herein on behalf of Plaintiffs ALGOE and  
5       We The People.
- 6       2. For arrest of judgments for all cases herein related; as  
7       well as injunctions against all warrants and actions against  
8       ALGOE; as well as a finding of fact and conclusion of law  
9       that these acts committed against ALGOE were and are bias  
10      and prejudice, and against the interest of justice and  
11      jurisprudence.
- 12      3. For compensatory damages in excess of \$100,000.
- 13      4. Punitive damages as determined by the jury.
- 14      5. For reasonable attorney's fees and costs pursuant to 42  
15      U.S.C. §1988.
- 16      6. For order finding abuses and violations of law, breaches of  
17      oaths of office and thereby and therewith breaches of  
18      contracts for employment by each of the defendants; an order  
19      terminating all employment contracts of defendants and an  
20      order of revocation of all professional licenses of all  
21      defendants.
- 22      7. For order of judgment against all defendants to repay the  
23      tax payers for the funds consumed by each defendant after  
24      the date of their first breach of their individual oaths and  
25      contracts for employment as well as punitive judgment to be  
26      paid to the tax payers.
- 27      8. For Writs of Mandamus for investigations and prosecutions,  
28      and Writ of Quo Warranto for all defendants individually.

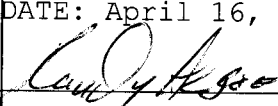
1 9. For leave to amend this Complaint when related cases herein  
2 referenced are merged and unknown defendants and  
3 information(s) are identified through the discovery process.

4 10. For costs of suit.

5 11. For injunctive relief barring Defendants from further  
6 harassment and/or causing continuous damages under Color of  
7 Law.

8 12. For such other and further relief as the Court may deem  
9 just and proper.

10  
11 DATE: April 16, 2015

12   
13 Randy ALGOE

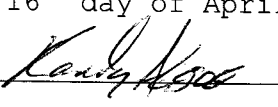
14 In Pro se

15 VERIFICATION

16 I am the Plaintiff in the above-entitled action. I have read  
17 the foregoing Complaint and know the contents thereof. The same is  
18 true of my own knowledge except as to those matters which are  
19 therein stated on information and belief, and, as to those matters,  
20 I believe them to be true.

21 I declare under penalty of perjury that the foregoing is  
22 true and correct to the best of my knowledge and that this  
23 declaration was executed on this

24 16<sup>th</sup> day of April, 2015

25   
26 Randy ALGOE

27 In Pro se  
28

Exhibit "A"

# TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001  
512/424-2000

[www.dps.texas.gov](http://www.dps.texas.gov)



STEVEN C. McCRAW  
DIRECTOR  
DAVID G. BAKER  
CHERYL MacBRIDE  
DEPUTY DIRECTORS



COMMISSION  
A. CYNTHIA LEON, CHAIR  
CARIN MARCY BARTH  
ADA BROWN  
ALLAN B. POLUNSKY  
RANDY WATSON

March 24, 2015

Randy Algoe  
PO Box 821103  
North Richland Hills, TX 76182

## **NOTICE OF HEARING RESET**

**Re: 16141954**

Mr. Algoe:

Please be advised the Administrative Hearing set for March 25, 2015, has been reset. The hearing will be in **Justice of the Peace Court; Precinct 3** located at **645 Grapevine Hwy #220, Hurst, TX 76054, April 22, 2015 at 2:00 P.M.** Please contact me if you have any questions.

Tamara Wheat  
CSR IV Court Hearing Officer  
Lake Worth Driver License Office  
5816 Azle Ave  
Lake Worth, TX. 76135  
817-238-9197 ex. 10438  
[Tamara.wheat@dps.texas.gov](mailto:Tamara.wheat@dps.texas.gov)

Cc: Honorable Judge Russell B Casey  
Justice of the Peace, Precinct 3  
645 Grapevine Hwy. #220  
Hurst, TX 76054  
(817) 581-3625

Cc: File

RANDY ALGOE  
in Pro Se  
P.O. Box 821103  
N. Richland Hills, TX. 76182  
(817) 428-5871

County of Escambia, FL.  
190 Govt. Center  
Pensacola, FL. 32502

STATE OF FLORIDA, COUNTY OF ESCAMBIA  
TRAFFIC COURT

State of Florida,

Plaintiff,

vs.

Randy Algoe,

Defendant

) Case No.: 1725-SAG

) Traffic Court

) DEFENDANT'S PLEA OF NOT GUILTY

) AND MOTION TO DISMISS OR SET

) FOR JURY TRIAL; EXHIBIT

**DEFENDANT'S PLEA OF NOT GUILTY AND REQUEST FOR DISMISSAL OR SET  
FOR JURY TRIAL**

**TO THE HONORABLE JUDGE OF SAID COURT:**

NOW COMES RANDY ALGOE, DEFENDANT in the above entitled and numbered cause, hereby Pleads Not Guilty and moves the Court to dismiss this case based not only upon the officer's conduct on the date of this incident (which to my understanding is under possible criminal investigation against Trooper R.H. Harrigill, and soon a civil action under Title 42 U.S.C. 1983), but also because the officer alleges in the complaint (citation - see Exhibit "A" as hereto attached) that I was speeding "49 in a 40" the law that the officer alleges that I violated "316.187.2(a)" is very clear.

**The 2005 Florida Statutes**

**Title XXII Chapter 316 Motor Vehicles State - Uniform Traffic Control**

**• 316.187**

**(2)(a) – The maximum allowable speed limit on limited access highways is 70 miles per hour.**

It specifically states that the "maximum" speed limit is "70", thereby which an alleged speed of 49 is by far, under said statute maximum limit, thus by the officer's own admission, there was no violation of said code "316.187.2(a)". This is the only alleged violation of law in this complaint. There is no other allegation and there can

1 not be any additional allegations at this point without further violations by this trooper  
2 against my constitutional rights. Thereby this case as a matter of law must be  
3 dismissed without further emotional and stressful damage to me or monetary  
4 damage to me or the public. Such violations would be against the public interest,  
5 would be an act of intrinsic fraud, and could even constitute treason against the  
6 Constitution of the United States of America by way of consuming public funds  
7 without just cause.

8  
9 **Disclaimer:**

10 The dismissal of this case shall in no way have any affect on any other actions  
11 pending or soon to be filed against said trooper Harrigill or the State of Florida and  
12 its agents, assigns, divisions, departments, etc., nor can such be negotiated in  
13 agreement for the dismissal of this case.

14 I do not think this is an issue the prosecution has any say over, as it seems to me to  
15 be a clear cut issue of law that is obviously within this courts discretion by reference  
16 to the law herein referenced to order without further cost to the public, a dismissal  
17 based upon the facts of law as stated herein above.

18 Further, shall the court deem it necessary that the prosecution be informed of these  
19 facts and this request for dismissal, -- since I have not yet been informed of a  
20 contact for the prosecution, so as is deemed necessary, I ask that the court provide  
21 a copy of this document to the appropriate entities as needed.

22 Please notify me by mail at the address listed herein of the prompt dismissal of this  
23 case, or if the court refuses to dismiss the case at this point, I hereby request that  
24 this case be referred to a higher court of record for jury trial.

25 **Declaration:**

26 I, Randy Algoe, hereby declare that the forgoing is true and correct to the best of my  
27 knowledge under penalty of perjury.

Dated: January 31, 2006



Randy Algoe  
P.O. Box 821103  
N. Richland Hills, TX.  
76182  
RANDY ALGOE  
in Pro Se

**PROOF OF SERVICE**

I declare that I am over the age of eighteen (18) and I am a party to this action. My address is P.O. Box 821103 North Richland Hills, Texas 76182

On **January 31, 2006**, I served the foregoing document: **DEFENDANT'S PLEA OF NOT GUILTY AND MOTION TO DISMISS OR SET FOR JURY TRIAL; EXHIBIT**, on the interested parties in this action by placing a true and correct copy(s) of the document enclosed in a sealed envelope, addressed as follows:

**County of Escambia, FL.  
190 Govt. Center  
Pensacola, FL. 32502**

**Please forward a copy of this to the state's Prosecutor as I have not yet been notified of his/her name or mailing address.**

(X) I am readily familiar with my office's practice for collection and processing of correspondence for mailing with the United States Postal Service. I know that correspondence was deposited with the United States Postal Service on the same day this declaration was executed in the ordinary course of business. I know that the envelope(s) was sealed and first class postage was fully prepaid thereon, and the envelope(s) was placed for collection and mailing on this date in the United States mail at Fort Worth, Texas. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in this affidavit.

( ) By Personal Service, I caused to be delivered by hand to the above addressee(s).

( ) By overnight courier, I caused the above-referenced document(s) to be delivered to an overnight courier service for delivery for delivery to the above addressee(s), paid by sender.

( ) By facsimile transmission, from fax no. \_\_\_\_\_, to fax no. \_\_\_\_\_, at \_\_\_\_\_ M., directed to \_\_\_\_\_. The facsimile machine I used complied with Rule 2003(3), and no error was reported by the machine. Pursuant to Rule 2006(i), I caused the machine to print a record of the transmission, a copy of which is attached hereto.

I declare under penalty of perjury under the laws of the State of Texas that the foregoing is true and correct, and that this Declaration was executed on **January 31, 2006**, at Fort Worth, Texas.

  
Randy Algoe



## FLORIDA UNIFORM TRAFFIC CITATION

1725-SAG CHECK 7

ESCAMBIA		<input checked="" type="checkbox"/> (1) FMP <input type="checkbox"/> (2) PD <input type="checkbox"/> (3) SD <input type="checkbox"/> (4) OTHER	
FLORIDA HIGHWAY PATROL AGENCY			
FRIDAY 11		18 2005 11:25	
RANDY		GENE ALGOE	
RT 3 BOX 25B		CUMBY TX 75433	
16141954		02 22 1964 W M 508	
TX C N 07		TX C N 07	
92 FORD SUV		RED	
TX 06		TX 06	
I-10 / 9TH AVE OVERPASS			
49 MPH SPEED APPLICABLE 40 MPH			
<input type="checkbox"/> CARELESS DRIVING <input type="checkbox"/> SAFETY BELT VIOLATION <input type="checkbox"/> EXPIRED DRIVER LICENSE <input type="checkbox"/> VIOLATION OF EQUIPMENT CONTROL DEVICE <input type="checkbox"/> IMPROPER OR UNEQUIP EQUIPMENT <input type="checkbox"/> FOUR (4) MONTHS OR LESS <input type="checkbox"/> VIOLATION OF RIGHT OF WAY <input type="checkbox"/> EXPIRED TAG <input type="checkbox"/> MORE THAN FOUR (4) MONTHS <input type="checkbox"/> IMPROPER CHANGE OF LANE OR COURSE <input type="checkbox"/> SIX (6) MONTHS OR LESS <input type="checkbox"/> NO VALID DRIVER LICENSE <input type="checkbox"/> IMPROPER PASSING <input type="checkbox"/> MORE THAN SIX (6) MONTHS <input type="checkbox"/> DRIVING WHILE LICENSE SUSPENDED OR REVOKED <input type="checkbox"/> CHILD RESTRAINT <input type="checkbox"/> NO PROOF OF INSURANCE			
STALKER DUAL RADAR SYSTEM			
**POSTED ZONE** STATIONARY FRT ANT			
EB IN LN SVC / A 7140 C/C 0			
316.187.2a			
12/18/2005 PM			
ESCAMBIA CO. TRAFFIC CT. / 190 GOV. CENT			
PENSACOLA, FL 32502 / 850 595-4360			
WWW.CLERK.CO.ESCAMBIA.FL.US			

## IMPORTANT INSTRUCTIONS TO INDIVIDUAL CHARGED WITH A NON-CRIMINAL TRAFFIC INFRACTION NOT REQUIRING A COURT APPEARANCE

You were charged with a civil infraction which requires that you comply with one of the following options with the Clerk of County Court in the county where you received this citation within thirty (30) calendar days. IF YOU FAIL TO COMPLY WITHIN THE SPECIFIED PERIOD, YOUR DRIVING PRIVILEGE WILL BE SUSPENDED UNTIL YOU COMPLY. YOU SHALL BE REQUIRED TO PAY AN ADDITIONAL CIVIL PENALTY AND A SERVICE FEE.

## OPTIONS:

1. Pay a civil penalty in the amount of **\$83.50** by mail or in person to the Clerk of Court. Payment must be received by the clerk within the period specified. POINTS WILL BE ASSESSED AS APPLICABLE. FOR DRIVER LICENSE, TAG OR REGISTRATION, OR INSURANCE INFRACTIONS, PROOF OF COMPLIANCE IN THE FORM OF A VALID DRIVER LICENSE, REGISTRATION CERTIFICATE OR PROOF OF INSURANCE, WHICHEVER IS APPLICABLE, IS REQUIRED IN ADDITION TO PAYMENT.

NOTE: IF YOUR DRIVER LICENSE, TAG, REGISTRATION, OR INSURANCE WAS VALID AT THE TIME THE CITATION WAS ISSUED, YOU MAY PRESENT THE DRIVER LICENSE, TAG, REGISTRATION OR PROOF OF INSURANCE WITHIN THIRTY (30) CALENDAR DAYS TO CLERK OF COURT, AND THE CHARGE WILL BE DISMISSED. A FEE MAY BE ASSESSED. If you cannot provide proof of registration or insurance, you may sign a sworn statement at the Clerk's office.

NOTE: YOU MUST ENCLOSE THIS CITATION IF YOU MAIL PAYMENT. PAYMENT SHOULD BE IN THE FORM OF MONEY ORDER OR A CASHIER'S CHECK.

☒ PERSONAL CHECKS ARE ACCEPTED ☐ PERSONAL CHECKS ARE NOT ACCEPTED (Make Payable to the Clerk of the County Court)

MAIL ADDRESS FOR THE CLERK OF COURT:

2. Attend a court hearing by contacting the Clerk of Court at the address listed and a hearing will be held at your station. If you request a hearing and the County Judge Magistrate deems it necessary, the County Judge Magistrate may, at his/her discretion, require you to appear in court.

3. If the County Judge Magistrate determines that you have committed no later or penalties shall be assessed and any civil penalty shall be assessed as applicable.

4. If you are charged with a violation of F.S. 322.06 (driver license expired) or F.S. 322.07 (tag or registration expired) or F.S. 322.08 (no valid driver license), F.S. 322.09 (no valid tag or registration), F.S. 322.10 (no valid insurance), you may, in lieu of payment of fine or civil penalty, elect to enter a plea of not guilty and present a valid driver license, tag or registration or proof of insurance to the Clerk of Court. In such case, you shall be deemed to have complied with the citation and no points shall be assessed. This option is available ONLY if you HAVE NOT made the election under the last option. (2) months. No person may make more than one (1) election under this provision. If you fail to comply with the election period, your driving privilege will be suspended as of the date of such failure until compliance is met. You shall be responsible for any additional penalties and a service fee.

5. If charged with a violation of F.S. 322.06 (driver license expired) or F.S. 322.07 (tag or registration expired) or F.S. 322.08 (no valid driver license), F.S. 322.09 (no valid tag or registration), F.S. 322.10 (no valid insurance), you may, in lieu of payment of fine or civil penalty, elect to enter a plea of not guilty and present a valid driver license, tag or registration or proof of insurance to the Clerk of Court. In such case, you shall be deemed to have complied with the citation and no points shall be assessed. This option is available ONLY if you HAVE NOT made the election under the last option. (2) months. No person may make more than one (1) election under this provision. If you fail to comply with the election period, your driving privilege will be suspended as of the date of such failure until compliance is met. You shall be responsible for any additional penalties and a service fee.

6. If charged with a violation of F.S. 322.06 (driver license expired) or F.S. 322.07 (tag or registration expired) or F.S. 322.08 (no valid driver license), F.S. 322.09 (no valid tag or registration), F.S. 322.10 (no valid insurance), you may, in lieu of payment of fine or civil penalty, elect to enter a plea of not guilty and present a valid driver license, tag or registration or proof of insurance to the Clerk of Court. In such case, you shall be deemed to have complied with the citation and no points shall be assessed. This option is available ONLY if you HAVE NOT made the election under the last option. (2) months. No person may make more than one (1) election under this provision. If you fail to comply with the election period, your driving privilege will be suspended as of the date of such failure until compliance is met. You shall be responsible for any additional penalties and a service fee.

7. If charged with a violation of F.S. 322.06 (driver license expired) or F.S. 322.07 (tag or registration expired) or F.S. 322.08 (no valid driver license), F.S. 322.09 (no valid tag or registration), F.S. 322.10 (no valid insurance), you may, in lieu of payment of fine or civil penalty, elect to enter a plea of not guilty and present a valid driver license, tag or registration or proof of insurance to the Clerk of Court. In such case, you shall be deemed to have complied with the citation and no points shall be assessed. This option is available ONLY if you HAVE NOT made the election under the last option. (2) months. No person may make more than one (1) election under this provision. If you fail to comply with the election period, your driving privilege will be suspended as of the date of such failure until compliance is met. You shall be responsible for any additional penalties and a service fee.

## FAULTY EQUIPMENT AFFIDAVIT OF COMPLIANCE

I certify that the equipment on this vehicle described herein as listed on this citation has been corrected and upon this date complies with the requirements of the law.

Signed \_\_\_\_\_

Agency Address

Points may increase your costs of motor vehicle insurance. If you are charged with a violation of more than 15 MPH over the posted limit, this is your second infraction within the past 12 months, or this is your third or subsequent infraction within the past 12 months, F.S. 322.05(1)(b)(2).

Texas Department of Public Safety  
via FAX: 512-424-2501

Dept: D.I.C.  
Re: case and DL # 16141954  
Attn: Michael

Dear Sirs,

As per my conversation with Michael today (04-24-09). The revocation order you have issued is in error. In brief the lower court in Florida is taking vindictive actions against me by filing the bogus claim with your department about the "citation debt" they claim to be due. This is another very serious violation of my Constitutional rights and it will be dealt with in my case against the corruption of said officers of the court in Florida very soon. In the mean time that Florida court clerk and the judge he serves are attempting to make your department and the State of Texas into co-conspirators for their improper and malicious acts of misconduct (see below **Title 42 U.S.C. § 1986. Action for neglect to prevent conspiracy**).

In a nutshell, I was working for FEMA after the Katrina, Rita, and Wilma Hurricanes, and while driving to Florida I was pulled over by a Fl. Trooper who had attempted to ram my vehicle twice, then drew his weapon on me and eventually assaulted me all the while threatening to take me to jail if I didn't change my attitude. Putting my thumbs in my pockets to him somehow constituted my having an attitude.

I filed several consecutive complaints with his superiors and eventually the Inspector General of FL. It was basically swept under the carpet. I filed a complaint with the FBI and demanded that the Justice Department investigate and prosecute. Nothing has yet happened. As a side note; the inspector general's investigation did discover a previous complaint against that trooper for what amounts to stalking against a citizen about a year prior to my encounter with his.

Long story short, the original trial court was a kangaroo court that deprived me of any and all discovery of evidence (including exculpatory) and testimony. Even in the face of all I argued and demanded as matter of law, the judge found me guilty and would have no matter what the evidence showed, had it been provided. I appealed the case and the higher county court just rubber stamped the ruling of the trial court without regard to the law at all. On 08-31-07 I appealed it again; this time to the Florida 1<sup>st</sup> appellate district in Tallahassee. FYI, I requested representation in a motion to the court and was denied my Constitutional right to that too, with the Asst. A.G. claiming that because I was capable of citing laws, I was not entitled to representation. (Even attorneys who are charged with a crime are entitled to representation). That court issued an order to the lower court "To abide by the law." Code for look at the law and reverse your ruling.

In absolute defiance, on 11-10-08 (mailed On 11-12-08) that lower court then sent me a letter (attached hereto) "affirming" its prior ruling and ordering me to pay the fine (aka

extortion money). At some point they then sent you (Texas DPS) the order and I guess information on my failure to pay, thus resulting in your order of revocation of my "commercial" license (FYI, I do not have a commercial license thus there should be no effect on my standard license). What they failed to inform TX DPS of was that I had meanwhile on **10-28-08** filed another "Notice of Appeal" and 'NOTICE TO REMOVE CASE TO FEDERAL COURT" here in Texas. **That lower court had "no jurisdiction" to send me that order to pay or you the failure to pay/order to revoke my license demand.**

The Florida Supreme Court had already taken custody of the case and issued two rulings on Nov. 17, 2008 (attached hereto); the first ruling states **"Having determined that this court is without jurisdiction, this case is hereby dismissed."** Legal jargon for "this case is not worth it and the lower court has acted in error but refused to abide by the law, but we the higher court don't want to reprimand them and/or make **case law**, so we just simply **dismiss the case**."

The second page states in essence that due to the case being dismissed, the removal to Federal Court is now moot.

I have every intension of filing a complaint in Federal Court against the state of Florida and the judges and clerks involved and the Trooper that exceeded his authority and violated my rights to begin with. They are however here attempting to bring the State of Texas into their conspiracy to deprive me of my rights and all the while taking vindictive actions against me. Just to be clear: the lower court that sent Texas DPS that order "did not have jurisdiction" at the time, and the FL. Supreme Court in essence reversed the ruling by dismissing the case, thus the lower court is acting with a malicious vendetta against me for my standing up for my rights and demanding they be investigated and prosecuted for civil rights violations.

It is hereby my request that my license "**privileges**" be immediately reinstated without restriction. AND it is hereby my further request that you, the Texas Department of Public Safety/The State of Texas, file criminal charges against those individuals in Florida for making false and misleading reports to law enforcement and charge them with positive public official misconduct and obstruction of justice.

Each individual at the Texas Department of Public Safety who does not immediately take every action to resolve this by definition of Title 42 U.S.C. § 1983, 1985, and 1986 becomes a co-conspirator party individually and in their official capacity.

Digitally signed  
Randy Algoe



## Civil Rights Act

Title 42 U.S.C. § 1983. **Every person who, under color or any statute, ordinance, regulation, custom or usage, of any State of Territory, subjects ... any citizen of the United States ... to the deprivation of any rights, privileges or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.**

---

### Title 42 U.S.C § 1985 Conspiracy to interfere with civil rights

(1) Preventing officer from performing duty. If two or more persons ... conspire to prevent ... any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties.

(2) **Obstructing justice; intimidating party, witness, or juror.** If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror, or if two or more persons conspire for the purpose of **impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the law, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;**

(3) **Depriving persons of rights or privileges.** If two or more persons in any State or Territory conspire, or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly **or indirectly**, any person or class of persons of the equal protection of the laws, or of equal **privileges** and immunities under the laws, or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; ... or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of

the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or **privilege** of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages, occasioned by such injury or deprivation, against any one or more of the conspirators.

---

Title 42 U.S.C. § 1985 pertains to a conspiracy to interfere with civil rights, (1) to prevent an officer from performing a duty; (2) **obstructing justice; intimidating party**, witness, or juror; (3) or **depriving persons of rights or privileges**.

---

**Title 42 U.S.C. § 1986. Action for neglect to prevent conspiracy**  
Every person who, **having knowledge that any of the wrongs conspired** to be done, and mentioned in the preceding section [42 USCS § 1985], are about to be committed, and having power to prevent or aid in preventing the commission of the same, **neglects or refuses to do so, if such wrongful act be committed, shall be liable to the party injured**, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case; and **any number of persons guilty of such wrongful neglect or refusal** may be joined as defendants in the action, and if the death of any party be caused by any such wrongful act and neglect, the legal representatives of the deceased shall have such action therefore, and may recover not exceeding five thousand dollars damages therein, for the benefit of the widow of the deceased, if there be one, and if there be no widow, then for the benefit of the next of kin of the deceased.

# Supreme Court of Florida

MONDAY, NOVEMBER 17, 2008

CASE NO.: SC08-2136

Lower Tribunal No(s): 1D07-4741

RANDY ALGOE

vs. STATE OF FLORIDA

---

Appellant(s)

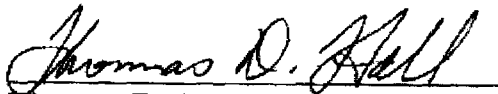
Appellee(s)

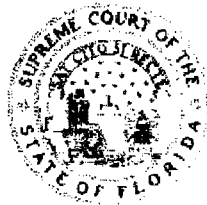
Having determined that this Court is without jurisdiction, this case is hereby dismissed. See Jackson v. State, 926 So. 2d 1262 (Fla. 2006); Stallworth v. Moore, 827 So. 2d 974 (Fla. 2002).

No motion for rehearing will be entertained by the Court.

A True Copy

Test:

  
Thomas D. Hall  
Clerk, Supreme Court



jj

Served:

HON. JON S. WHEELER, CLERK

RANDY ALGOE

HON. BILL MCCOLLUM

HON. ERNIE LEE MAGAHA, CLERK

# Supreme Court of Florida

MONDAY, NOVEMBER 17, 2008

CASE NO.: SC08-2136

Lower Tribunal No(s): 1D07-4741

RANDY ALGOE

vs. STATE OF FLORIDA

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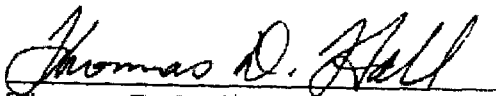
Appellant(s)

Appellee(s)

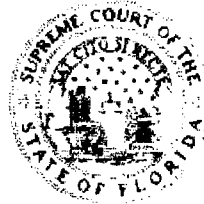
Appellant's "Removal to Federal Court" is hereby denied as moot.

A True Copy

Test:



Thomas D. Hall  
Clerk, Supreme Court



jj

Served:

RANDY ALGOE  
HON. BILL MCCOLLUM

1 Randy Algoe  
2 P.O. Box 821103  
3 North Richland Hills, TX. 76182

4 DISTRICT COURT OF APPEAL, FIRST DISTRICT  
5 Jon S. Wheeler, clerk  
6 301 S. Martin Luther King, Jr. Blvd.  
7 Tallahassee, Florida 32399-1850

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**DISTRICT COURT OF APPEALS  
FIRST DISTRICT, STATE OF FLORIDA**

RANDY ALGOE,	)	Case No.: 1D07-4741
	)	
Petitioner,	)	
	)	
vs.	)	<b>NOTICE OF APPEAL AND REMOVAL TO</b>
	)	<b>FEDERAL COURT</b>
	)	
STATE OF FLORIDA,	)	
	)	
Respondent	)	Today's Date: OCT. 28, 2008
	)	

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**NOTICE OF APPEAL and REMOVAL TO FEDERAL COURT**

I, Randy Algoe, hereby enter this NOTICE OF APPEAL and simultaneously MOTION to remove this case from the Florida courts to the UNITED STATES 5<sup>th</sup> Circuit FEDERAL COURT OF APPEAL in Dallas, Texas under the diversity clause for cause under TITLE 42 U.S.C. § 1983, 1985, and 1986 for violations of my constitutional rights and deprivation of my constitutional rights to due process of law and equal protection of law. The removal of this case to a Texas Federal Court is also required as the Florida Judiciary and the Florida Attorney General have demonstrated time and again that they have no intention to abide by state or federal law "and" they have obvious bias and prejudice against this U.S. Citizen in every respect, and such acts are egregious and against the will of the people and the U.S. and Texas Constitutions.

Dated this 28<sup>th</sup> day of October, 2008

  
Randy Algoe





**ERNIE LEE MAGAHA**  
CLERK OF THE CIRCUIT COURT

ARCHIVES AND RECORDS  
CHILD SUPPORT  
CIRCUIT CIVIL  
CIRCUIT CRIMINAL  
COUNTY CIVIL  
COUNTY CRIMINAL  
DOMESTIC RELATIONS  
FAMILY LAW  
JURY ASSEMBLY  
JUVENILE  
MENTAL HEALTH  
PROBATE  
TRAFFIC

BRANCH OFFICES  
ARCHIVES AND RECORDS  
JUVENILE DIVISION  
CENTURY

**COUNTY OF ESCAMBIA  
OFFICE OF THE  
CLERK OF THE CIRCUIT COURT**

CLERK TO THE BOARD OF  
COUNTY COMMISSIONERS

OFFICIAL RECORDS  
COUNTY TREASURY  
AUDITOR

November 10, 2008

RANDY ALGOE  
PO BOX 821103  
N RICHLAND HILLS TX 76182

RE: 1725-SAG -UNLAWFUL SPEED

FOR THE NATURE OF THIS CORRESPONDENCE, SEE REASONS BELOW:

\_\_\_\_\_ We cannot accept your (check, money order, cash or citation) for reasons checked below:

\_\_\_\_\_ ☒ The fine amount is \$83.50 please send by DECEMBER 10, 2008.

\_\_\_\_\_ This citation has been paid on.

\_\_\_\_\_ Check was not signed. Please return your check with a signature by:.

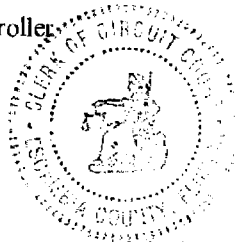
\_\_\_\_\_ We are unable to locate records to which this payment is applicable. Please include copy of citation, the charge, date of offense, the agency that issued the citation, or the citation number, also please print clearly your name and date of birth. Return this information as soon as possible.

If you have any questions regarding this citation you may contact our office at (850)595-4360 or at the Traffic Division of the Clerk's Office located inside the M.C. Blanchard Judicial Building, 190 Governmental Center, Pensacola FL.

PLEASE MAKE ALL CHECKS & MONEY ORDERS PAYABLE TO: ERNIE LEE MAGAHA, CLERK

Ernie Lee Magaha  
Clerk of the Circuit Court and Comptroller  
P. O. BOX 333  
Pensacola, Florida 32591-0333

By: Debbi Pura  
Deputy Clerk



"If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Mark Lowe 190 West Government Street, Pensacola, Florida, Telephone Number: (850) 595-4360, within two working days of your receipt of this document. If you are hearing or voice impaired, call 1-800-955-8771."

Exhibit "B"

**RANDY ALGOE**  
**P. O. Box 821103**  
**N. Richland Hills, TX. 76182**

Certified Mail, Return Receipt Requested # 7010-1670-0001-3197-4634

**08-09-11**

**CSI**  
**180 E. Burgess Rd.**  
**Pensacola, FL. 32503**

**REF: Account # 2245799**

Dear Dottie Wilson and CSI,

1. As per our conversation today (08-09-11) I had previously sent your company a cease and desist letter to the P.O. Box address given me by the Transunion credit bureau, which your company refused to receive and it was returned to me some time later (copy attached hereto). In said conversation I informed you that the lower tribunal was in error in reporting the debt to CSI. The Supreme Court of Florida dismissed the entire case (the lower case and the appeals case as noted in the document from the FL Supreme Court as none of the courts had jurisdiction because Corpus Delicti did not exist, therefore none of the courts had either Standing or Subject Matter Jurisdiction as noted in the Ruling attached hereto by the FL Supreme Court dismissing the entire case. The lower tribunal has violated my Constitutional Rights and now so has your company. You have FRAUDULENTLY placed a collection account on my credit report. YOU are hereby COMMANDED once again to remove the fraudulent record from my credit report and cease and desist any and all such activities or other contact of any kind. You are hereby notified under provisions of **Public Laws 104-208**, also known as the *Fair Debt Collection Practices Act*, that your services are no longer desired.

2. Additionally, Texas has a four year statute of limitations on any debt; your company fraudulently stated a date that is inaccurate on said credit report. If such a debt were legitimately owed you would be in violation of the statute of limitations as well.

3. Further, the lower tribunal has not only deprived me of my rights to due process of law and equal protection of law, but has violated my rights by its fraudulent claim against my drivers license as it stated the speed violation was a civil infraction and I was thereby deprived of my Constitutional Right to a jury trial. Texas has no such speed laws, therefore the justice court has fraudulently requested my license be suspended under the laws cited under the sister State rules as being identical. Texas recognizes the U.S. Constitution for a right to a Jury trial, unlike the fraudulent lower tribunals of Florida. In filing the fraudulent claims on my credit report your company has now caused me injury by defamation and libel as well as your willful participation in these same violations of my Constitutional Rights as a co-conspirator and for that you are also hereby commanded

to cease and desist any and all further defamatory and libelous acts and any and all violations my Constitutional Rights.

4. Also note in the attached documents that the notice of appeal was filed on October 28, 2008 and the Florida Supreme Court ruling was made on November 17, 2008, yet the Circuit Court demand letter is dated November 08, 2008 therefore, as I have stated, the lower tribunal was without jurisdiction at the time of the demand, therefore the Circuit Court has violated my rights by usurping powers it did not possess. Also note that the removal to Federal Court was denied as moot. It was denied as moot because the FL Supreme Court dismissed the entire case. The lower court has thereby fraudulently possessed your unlawful services in its unlawful attacks against me in retaliation of my filing a complaint against the Trooper (Robert Harrigill) for his abuses against me on the night he pulled me over.

5. You and your organization must **CEASE & DESIST** all attempts to collect the above debt and cease and desist all defamatory and libelous acts. Failure to comply with this law will result in my immediately filing a complaint with the Federal Trade Commission and the **Texas** Attorney General's office. I will pursue all criminal and civil claims against you and your company and every other person or entity involved in these unlawful acts under Title 42 U.S.C. 1983, 1985, and 1986 as well as other appropriate laws.

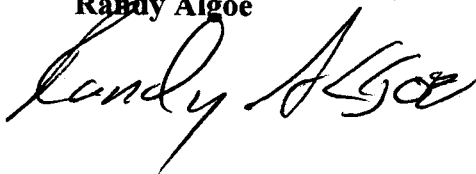
6. Let this letter also serve as your warning that I may utilize telephone-recording devices in order to document any telephone conversations that we may have.

7. Furthermore, if any negative information is placed on my credit bureau reports by your agency after receipt of this notice, this will cause me to file suit against you and your organization, both personally and corporately, to seek any and all legal remedies available to me by law.

Give this matter the attention it deserves!

And have a nice day.

**Randy Algoe**

A handwritten signature in cursive script that reads "Randy Algoe". The signature is written in dark ink and is positioned below the printed name.

Randy Algoe  
P.O. Box 821103  
North Richland Hills, TX. 76182

DISTRICT COURT OF APPEAL, FIRST DISTRICT  
Jon S. Wheeler, clerk  
301 S. Martin Luther King, Jr. Blvd.  
Tallahassee, Florida 32399-1850

**DISTRICT COURT OF APPEALS  
FIRST DISTRICT, STATE OF FLORIDA**

RANDY ALGOE,

) Case No.: 1D07-4741

Petitioner,

)

vs.

) NOTICE OF APPEAL AND REMOVAL TO  
) FEDERAL COURT

STATE OF FLORIDA,

)

Respondent

) Today's Date:

OCT. 28, 2008

**NOTICE OF APPEAL and REMOVAL TO FEDERAL COURT**

I, Randy Algoe, hereby enter this NOTICE OF APPEAL and simultaneously MOTION to remove this case from the Florida courts to the UNITED STATES 5<sup>th</sup> Circuit FEDERAL COURT OF APPEAL in Dallas, Texas under the diversity clause for cause under TITLE 42 U.S.C. § 1983, 1985, and 1986 for violations of my constitutional rights and deprivation of my constitutional rights to due process of law and equal protection of law. The removal of this case to a Texas Federal Court is also required as the Florida Judiciary and the Florida Attorney General have demonstrated time and again that they have no intention to abide by state or federal law "and" they have obvious bias and prejudice against this U.S. Citizen in every respect, and such acts are egregious and against the will of the people and the U.S. and Texas Constitutions.

Dated this 28<sup>th</sup> day of October, 2008

  
Randy Algoe

**ERNIE LEE MAGAHA**  
CLERK OF THE CIRCUIT COURT

ARCHIVES AND RECORDS  
CHILD SUPPORT  
CIRCUIT CIVIL  
CIRCUIT CRIMINAL  
COUNTY CIVIL  
COUNTY CRIMINAL  
DOMESTIC RELATIONS  
FAMILY LAW  
JURY ASSEMBLY  
JUVENILE  
MENTAL HEALTH  
PROBATE  
TRAFFIC



BRANCH OFFICES  
ARCHIVES AND RECORDS  
JUVENILE DIVISION  
CENTURY

**COUNTY OF ESCAMBIA  
OFFICE OF THE  
CLERK OF THE CIRCUIT COURT**

CLERK TO THE BOARD OF  
COUNTY COMMISSIONERS

OFFICIAL RECORDS  
COUNTY TREASURY  
AUDITOR

November 10, 2008

RANDY ALGOE  
PO BOX 821103  
N RICHLAND HILLS TX 76182

RE: 1725-SAG -UNLAWFUL SPEED

*Fl. Supreme Court had  
jurisdiction at this time,  
the lower court did not!  
But none actually had jurisdiction  
because Corpus Delicti did not  
exist.*

**FOR THE NATURE OF THIS CORRESPONDENCE, SEE REASONS BELOW:**

\_\_\_\_ We cannot accept your (check, money order, cash or citation) for reasons checked below:

☒ X The fine amount is \$83.50 please send by DECEMBER 10, 2008.

\_\_\_\_ This citation has been paid on.

\_\_\_\_ Check was not signed. Please return your check with a signature by:.

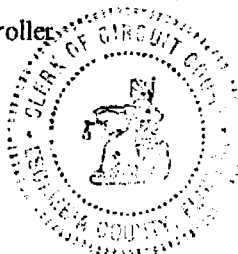
\_\_\_\_ We are unable to locate records to which this payment is applicable. Please include copy of citation, the charge, date of offense, the agency that issued the citation, or the citation number, also please print clearly your name and date of birth. Return this information as soon as possible.

If you have any questions regarding this citation you may contact our office at (850)595-4360 or at the Traffic Division of the Clerk's Office located inside the M.C. Blanchard Judicial Building, 190 Governmental Center, Pensacola FL.

PLEASE MAKE ALL CHECKS & MONEY ORDERS PAYABLE TO: ERNIE LEE MAGAHA, CLERK

Ernie Lee Magaha  
Clerk of the Circuit Court and Comptroller  
P. O. BOX 333  
Pensacola, Florida 32591-0333

By: Debbi Pur  
Deputy Clerk



"If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Mark Lowe 190 West Government Street, Pensacola, Florida, Telephone Number: (850) 595-4360, within two working days of your receipt of this document. If you are hearing or voice impaired, call 1-800-955-8771."

# Supreme Court of Florida

MONDAY, NOVEMBER 17, 2008

CASE NO. SC08-2136

Lower Tribunal No(s): 1D07-4741

RANDY ALGOE

vs. STATE OF FLORIDA

Appellant(s)

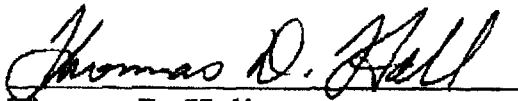
Appellee(s)

Having determined that this Court is without jurisdiction, this case is hereby dismissed. See Jackson v. State, 926 So. 2d 1262 (Fla. 2006); Stallworth v. Moore, 827 So. 2d 974 (Fla. 2002).

No motion for rehearing will be entertained by the Court.

A True Copy

Test:



Thomas D. Hall

Clerk, Supreme Court



jj

Served:

HON. JON S. WHEELER, CLERK

RANDY ALGOE

HON. BILL MCCOLLUM

HON. ERNIE LEE MAGAHA, CLERK

# Supreme Court of Florida

MONDAY, NOVEMBER 17, 2008

CASE NO.: SC08-2136

Lower Tribunal No(s): 1D07-4741

RANDY ALGOE

vs. STATE OF FLORIDA

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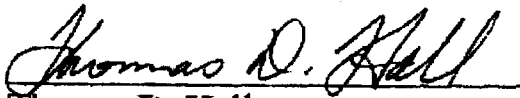
Appellant(s)

Appellee(s)

Appellant's "Removal to Federal Court" is hereby denied as moot.

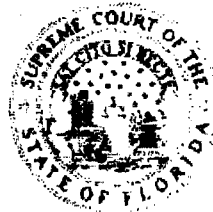
A True Copy

Test:



Thomas D. Hall

Clerk, Supreme Court



jj

Served:

RANDY ALGOE

HON. BILL MCCOLLUM



*Canby Assoc*  
*P.O. Box 821103*  
*N. Richardson H.I. 115 HI*  
*76/82*

*1-11-81*  
*4-1-82*  
*2/5/86*  
*UNCLAIMED*

*CSI*  
*P.O. Box 1431*  
*ENSA 1 71*

*LN*  
*4-11*



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UNITED STATES POSTAL SERVICE

U.S. POSTAGE  
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UNABLE TO FORWARD/FOR REVIEW  
NO FORWARDING ORDER ON FILE  
OF RETURN TO POSTMASTER FOR REVIEW  
BC: 76182110303 PM \*1392-06749-31-32

**RANDY ALGOE**  
**P. O. Box 821103**  
**N. Richland Hills, TX. 76182**

Certified Mail, Return Receipt Requested # 7010-1670-0001-3197-4665

**12-31-10**

**CSI**  
**P.O. Box 1431**  
**Pensacola, FL. 32591-1431**

**REF: Account # 2245799**

Dear CSI,

1. I DO NOT KNOW YOU, nor have I "ever" had any business dealings with you or contact with you of any kind. You have FRAUDULENTLY placed a collection account on my credit report. YOU are hereby COMMANDED to remove the fraudulent record from my credit report and cease and desist any and all such activities or other contact of any kind. You are hereby notified under provisions of **Public Laws 104-208**, also known as the ***Fair Debt Collection Practices Act***, that your services are no longer desired.

2. You and your organization must **CEASE & DESIST** all attempts to collect the above debt. Failure to comply with this law will result in my immediately filing a complaint with the Federal Trade Commission and the **Texas** Attorney General's office. I will pursue all criminal and civil claims against you and your company.

3. Let this letter also serve as your warning that I may utilize telephone-recording devices in order to document any telephone conversations that we may have in the future.

4. Furthermore, if any negative information is placed on my credit bureau reports by your agency after receipt of this notice, this will cause me to file suit against you and your organization, both personally and corporately, to seek any and all legal remedies available to me by law.

Give this matter the attention it deserves!

And have a nice day.

**Randy Algoe**

Exhibit "C"

January 2, 2015

Randy Algoe  
P.O. Box 821103  
N. Richland Hills, TX, 76182

Texas Department of Public Safety  
Drivers License Division/Driver Improvement Bureau  
P.O. Box 4087  
Austin, Texas 78773-0320

To whom it may concern:

**The State of Texas has taken legal actions against my driving privileges without cause or proof of any violations of any laws, or even a trial.** Further, the request by the State of Florida was made under false light and by claims of it being lawful under the Drivers License Compact, which it was not. The State of Florida misapplied such claims and the State of Texas misapplied the act of revocation based upon such misapplication of the claim. Several crimes have been committed against me and my rights by said acts and compounding other acts. I have previously requested that the State of Texas **PROTECT ME** as a victim of a corrupt judiciary of Florida, but Texas has instead breached its duty to me by allowing the abuses of the State of Florida to be propagated here in Texas with complete complicity and wanton **Deliberate Indifference**.

Statement of Facts:

**First off, THE COMPACT IS UNCONSTITUTIONAL AND THEREFORE CAN NOT BE USED AGAINST THE CITIZENS OF THIS STATE OR ANY STATE.**

- **THE UNITED STATES CONSTITUTION**
- ***Article. I - Section. 10 Clause 3:***
- **No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.**

Secondly, **the Drivers License COMPACT** that the State relied upon to illegally take action against my privileges **IS NOT A LAW!** It is simply **an agreement to share**

information to assure "APPEARANCE AT TRIAL" for SERIOUS OFFENSES of such things as DUI/DWI, VEHICULAR MANSLAYER, etc. It DOES NOT apply to CIVIL INFRACTIONS for SPEED LAW VIOLATIONS, AND SINCE TEXAS DOES NOT HAVE CIVIL INFRACTIONS SPEED LAWS, the Compact agreement would NOT apply in this case even if it was "proven" to be Constitutional. Further, the Compact itself has a severance clause that renders it invalid in the issue of my driving privileges. Additionally, THE LICENSING AUTHORITY of the State of Florida was REQUIRED by the Compact to be the entity to issue such a letter (sharing of information FOR FAILURE TO APPEAR FOR TRIAL) to the Texas DPS NOT A FLORIDA COURT, and they were REQUIRED to do so WITHIN 6 MONTHS OF THE ISSUANCE OF THE CITATION! So not only did the Compact NOT apply due to it being unconstitutional and for the fact that I DID APPEAR FOR TRIAL, but the kangaroo trial court that deprived me of discovery (any and all evidence and depositions), a trial by jury, and all other due processes of law and equal protection of law, the so called trial took place OVER A YEAR AFTER THE CITATION WAS ISSUED, thereby not only violating my right to a Speedy Trial, but rendering the Compact INVALID by statute of limitations even if it was over a serious crime such as DWI or vehicular manslaughter, etc.

Additionally, the citation itself states on the top right corner that it is a "NON-CRIMINAL TRAFFIC INFRACTION." This is by Florida's own definition a "CIVIL" infraction Speed law (which is also unconstitutional for several reasons), therefore the only powers it has at best is that of a PRIVATE OR PUBLIC DEBT, which is at very least UNCOLLECTIBLE by STATUTE OF LIMITATIONS from the date of the claim, which is 11-18-2005, NOT 2008. And even if it was 2008 THAT was over four years ago, thus again exceeding the Statute of Limitations AGAIN. For clarity, the Texas Statute of Limitations of all debts public and private is FOUR YEARS. Therefore, TEXAS HAS NO AUTHORITY WHATSOEVER to rely upon it for the states illegal acts against my privileges, therefore the state LACKS STANDING and is CRIMINALLY TARGETING ME FOR RETALIATION, WHICH IS A FEDERAL OFFENSE; see Title 18 USC sec(s) 241, 242, 245, 1951, and 1961-1968. Further, by the State of Texas taking actions against my rights and privileges, the State has acted as an ILLEGAL DEBT COLLECTOR, EFFECTUALLY THREATENING DEBTORS JAIL against a Citizen.

Furthermore, the citation itself accuses me of speeding of 49 mph in a 70 mph zone. The citation accuses a violation of traffic code 316.187(2)(a), but the citation itself is for NON-CRIMINAL acts not covered by that code. And since a speed of 49 MPH is LESS THAN 70 MPH, therefore there never was an actual accusation of a violation of any law!!! THIS IS NOT AN ISSUE TO BE RESOLVED WITH FLORIDA FIRST. THIS IS AN ISSUE OF THE TEXAS DPS INAPPROPRIATELY APPLYING THE DRIVERS LICENSE COMPACT AS A LAW, WHICH IT'S NOT, TO ENFORCE A FALSE CONVICTION OF A CIVIL ACCUSATION WITHOUT A TRIAL IN A COURT OF LAW WITH DISCOVERY OR EVIDENCE REQUIREMENTS OR A JURY TRIAL -- ALL OF WHICH ARE GUARANTEED BY THE STATE OF TEXAS IN ANY TRAFFIC SPEED LAW ALLEGATION OF VIOLATIONS.

**FURTHER, I have a CONSTITUTIONAL RIGHT TO TRAVEL WITHOUT FEAR OF MY GOVERNMENT VIOLATING MY RIGHTS. The states of Florida and Texas have both CRIMINALLY VIOLATED MY SAID RIGHT TO TRAVEL UNIMPEDED. Further, the Florida Trooper Robert Harrigill has twice stated that THE REASON he pulled me over WAS BECAUSE HE THOUGHT I WAS HISPANIC!** He DID NOT pull me over because he thought I was speeding, his statements under oath were that he did so BECAUSE HE THOUGHT I WAS HISPANIC, thereby trumping up the false accusation of speeding (and assaulting and battering me at gunpoint). So apparently being Hispanic is a crime in Florida.

**For all of the reasons highlighted herein and in the U.S. Constitution, and in the Texas Constitution, the state of Texas never had legal authority to take any actions whatsoever against my rights or privileges, therefore the state MUST immediately reinstate my driving privileges. And Texas TOOK THESE ILLEGAL ACTIONS in violation of the Full Faith and Credit Clause of the U.S. Constitution**

Article IV, Section 1 of the United States Constitution

### **Clause 1: Privileges and Immunities**

**The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.**

Clause One of Section 2 requires interstate protection of "privileges and immunities". The ambiguity of the clause has given rise to a number of different interpretations. Some contend that the clause requires Congress to treat all citizens equally. Others suggest that citizens of states carry the rights accorded by their home states while traveling in other states.

Neither of these theories has been endorsed by the Supreme Court, which has held that the clause means that a state may not discriminate against citizens of other states in favor of its own citizens. In *Corfield v. Coryell*, 6 F. Cas. 546 (C.C.E.D. Pa. 1823), the federal circuit court held that privileges and immunities in respect of which discrimination is barred include protection by the Government; the enjoyment of life and liberty ... the right of a citizen of one State to pass through, or to reside in any other State, for purposes of trade, agriculture, professional pursuits, or otherwise; to claim the benefits of the writ of habeas corpus; to institute and maintain actions of any kind in the courts of the State; to take, hold and dispose of property, either real or personal; and an exemption from higher taxes or impositions than are paid by the other citizens of the State.

## THE TEXAS CONSTITUTION

### ARTICLE 1. BILL OF RIGHTS

That the general, great and essential principles of liberty and free government may be recognized and established, we declare:

Sec. 10. RIGHTS OF ACCUSED IN CRIMINAL PROSECUTIONS. In all criminal prosecutions the accused shall have a speedy public trial by an impartial jury. He shall have the right to demand the nature and cause of the accusation against him, and to have a copy thereof. He shall not be compelled to give evidence against himself, and shall have the right of being heard by himself or counsel, or both, shall be confronted by the witnesses against him and shall have compulsory process for obtaining witnesses in his favor, except that when the witness resides out of the State and the offense charged is a violation of any of the anti-trust laws of this State, the defendant and the State shall have the right to produce and have the evidence admitted by deposition, under such rules and laws as the Legislature may hereafter provide; and no person shall be held to answer for a criminal offense, unless on an indictment of a grand jury, except in cases in which the punishment is by fine or imprisonment, otherwise than in the penitentiary, in cases of impeachment, and in cases arising in the army or navy, or in the militia, when in actual service in time of war or public danger.

Sec. 13. EXCESSIVE BAIL OR FINES; CRUEL AND UNUSUAL PUNISHMENT; REMEDY BY DUE COURSE OF LAW. Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted. All courts shall be open, and every person for an injury done him, in his lands, goods, person or reputation, shall have remedy by due course of law.

Sec. 14. DOUBLE JEOPARDY. No person, for the same offense, shall be twice put in jeopardy of life or liberty; nor shall a person be again put upon trial for the same offense after a verdict of not guilty in a court of competent jurisdiction.

Sec. 15. RIGHT OF TRIAL BY JURY. The right of trial by jury shall remain inviolate. The Legislature shall pass such laws as may be needed to regulate the same, and to maintain its purity and efficiency. Provided, that the Legislature may provide for the temporary commitment, for observation and/or treatment, of mentally ill persons not charged with a criminal offense, for a period of time not to exceed ninety (90) days, by order of the County Court without the necessity of a trial by jury.

Sec. 16. BILLS OF ATTAINDER; EX POST FACTO OR RETROACTIVE LAWS; IMPAIRING OBLIGATION OF CONTRACTS. No bill of attainder, ex post facto law, retroactive law, or any law impairing the obligation of contracts, shall be made.

Sec. 17. TAKING, DAMAGING, OR DESTROYING PROPERTY FOR PUBLIC USE; SPECIAL PRIVILEGES AND IMMUNITIES; CONTROL OF PRIVILEGES AND FRANCHISES.  
(a) No person's property shall be taken, damaged, or destroyed for or applied to public use without adequate compensation being made, unless by the



consent of such person, and only if the taking, damage, or destruction is for:

(1) the ownership, use, and enjoyment of the property, notwithstanding an incidental use, by:

(A) the State, a political subdivision of the State, or the public at large; or

(B) an entity granted the power of eminent domain under law; or

(2) the elimination of urban blight on a particular parcel of property.

(b) In this section, "public use" does not include the taking of property under Subsection (a) of this section for transfer to a private entity for the primary purpose of economic development or enhancement of tax revenues.

Sec. 18. IMPRISONMENT FOR DEBT. No person shall ever be imprisoned for debt.

Sec. 19. DEPRIVATION OF LIFE, LIBERTY, ETC.; DUE COURSE OF LAW. No citizen of this State shall be deprived of life, liberty, property, privileges or immunities, or in any manner disfranchised, except by the due course of the law of the land.

Sec. 28. SUSPENSION OF LAWS. No power of suspending laws in this State shall be exercised except by the Legislature.

Sec. 29. PROVISIONS OF BILL OF RIGHTS EXCEPTED FROM POWERS OF GOVERNMENT; TO FOREVER REMAIN INVIOLEATE. To guard against transgressions of the high powers herein delegated, we declare that everything in this "Bill of Rights" is excepted out of the general powers of government, and shall forever remain inviolate, and all laws contrary thereto, or to the following provisions, shall be void.

Sec. 30. RIGHTS OF CRIME VICTIMS. (a) A crime victim has the following rights:

(1) the right to be treated with fairness and with respect for the victim's dignity and privacy throughout the criminal justice process; and

(2) the right to be reasonably protected from the accused throughout the criminal justice process.

(b) On the request of a crime victim, the crime victim has the following rights:

(1) the right to notification of court proceedings;



(2) the right to be present at all public court proceedings related to the offense, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at the trial;

(3) the right to confer with a representative of the prosecutor's office;

(4) the right to restitution; and

(d) The state, through its prosecuting attorney, has the right to enforce the rights of crime victims.

(e) The legislature may enact laws to provide that a judge, attorney for the state, peace officer, or law enforcement agency is not liable for a failure or inability to provide a right enumerated in this section. The failure or inability of any person to provide a right or service enumerated in this section may not be used by a defendant in a criminal case as a ground for appeal or post-conviction writ of habeas corpus. A victim or guardian or legal representative of a victim has standing to enforce the rights enumerated in this section but does not have standing to participate as a party in a criminal proceeding or to contest the disposition of any charge.

It is therefore my prayer and **LEGAL DEMAND** that **the Texas DPS IMMEDIATELY REINSTATE MY DRIVING PRIVILEGES and remove all records of this FRAUDULENT act by the two States from my driving record. IF THE STATE REFUSES AGAIN TO DO SO, THEN I HEREBY DEMAND A HEARING WITH STRICT PROOF OF ANY AND ALL CRIMES I'VE BEEN ACCUSED OF AND WITNESSES AND EVIDENCE FOR EVERY SINGLE ISSUE AT LAW REFERENCED HEREIN AND IN ALL OTHER RECORDS AND THAT THEY BE MADE AVAILABLE TO ME FORTHWITH.**

Dated this 2<sup>nd</sup> day of January, 2015

---

Randy Algoe

Exhibit "D"

IRVING MUNICIPAL COURT

Defendant: **RANDY GENE ALGOE**  
Cause No.: 91009480 01, 91009480

PLEASE SEE ATTACHED:

\_\_\_\_\_ Motion for Reset

\_\_\_\_\_ Discovery

Clerk processing request: Transaction date: Thursday, April 4, 2013

State Recieved: 4/4/13 Return Date: 4/4/13

State's notes:

No Response by State

Prosecutor's signature: [Signature]

Judge's notes:

Filemark all motions and  
put original in def's case file

Judge's signature: [Signature]

Date: 4-4-13



Motion 91009480-1

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Randy Algoe  
P.O. Box 821103  
North Richland Hills, TX. 76182

IRVING Municipal Court  
305 N. O'Connor Rd.  
Irving, TX. 75061  
(972) 721-3578

**STATE OF TEXAS**

Irving Police Dept/City of

Irving/State of Texas

Plaintiff,

vs.

Randy Algoe,

Defendant

) Cause #: 91009480-01  
) Municipal Judge

) NOTICE OF MOTION AND MOTION FOR  
) JUDGMENT OF ACQUITTAL; MOTION  
) FOR ARRESTING JUDGEMENT;  
) DEMAND FOR CLERK TO FILE NOTICE  
) OF APPEAL DE NOVO ON  
) DEFENDANT'S BEHALF.

Today's Date: April 3, 2013

**NOTICE OF MOTION AND MOTION FOR JUDGMENT OF ACQUITTAL;  
MOTION FOR ARRESTING JUDGEMENT;  
DEMAND FOR CLERK TO FILE NOTICE OF APPEAL DE NOVO ON  
DEFENDANT'S BEHALF.**

Notice is hereby given and Motion is hereby entered for the defendant in the above entitled case, Randy Algoe, to be acquitted of all charges as the court itself did not have subject matter jurisdiction since the prosecution admittedly did not represent a lawful injured party as a plaintiff, and did not present any admissible evidence to support the charge of a crime, thereby failing to prove Corpus Delicti, failing to establish foundation, thereby lacking Standing. Further, the witness testimony and evidence was not admissible for the above mentioned reasons and for the fact that the prosecution failed to provide discovery as is mandated by the U.S.

Notice of Motion and Motion for Judgment of Acquittal - Pg 1 of 18

1 Constitution and the Texas Constitution and all subordinate laws.  
2 Additionally, the witness stated on several occasions that he did not know  
3 certain key points of fact that were required elements of establishing  
4 foundation and for proving a crime existed. Additionally, the witness  
5 either stated the items requested did not exist and/or he failed to provide  
6 any such things such as certifications or other records required to  
7 establish either his legal authority, or his qualifications for the use of  
8 any equipment he claimed corroborated his assertions, and the prosecution  
9 itself failed to provide any such documented and certified records that are  
10 required to either establish foundation or proper procedures being followed  
11 or reliability of equipment or other information relied upon by the witness  
12 or the prosecution. The court itself erred on many issues of procedure, and  
13 intentionally & willfully deprived the defendant of due process and equal  
14 protections of law, including but not limited to several deprivations of the  
15 right to cite laws to his defense and deprivations of rights enumerated in  
16 the Constitution of Texas and the U.S. Constitution. Additionally, the  
17 dignity of the State was never identified as an injury in the complaint nor  
18 even established by the prosecution as an eligible injury to a party prior  
19 to trial or even at trial, therefore the State can not be considered as a  
20 plaintiff, as it further "was not proven" by the prosecution to be injured  
21 nor eligible as an injured party. Further, since there is no such thing as  
22 third party standing, the State CAN NOT be an injured party in this case.  
23 Further to this point, "The State" was not made available for discovery or  
24 cross examination. Such discovery was lawfully propounded upon the  
25 prosecution, the court, and the witness. Such discovery was ignored and

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1 illegally deprived of the defendant and no opposition was filed and no  
2 hearings were ever conducted. There in fact were no hearings at all prior  
3 to trial. This so called trial was an illegal trial-by-ambush and the  
4 prosecutor and judge were complicit in the acts for wanton enrichment.  
5 Further, there WERE NO PLAINTIFFS OR VICTIMS, only a witness - a witness to  
6 no crime at all as Corpus Delicti could not have been established and was in  
7 fact never established or even attempted to be established or proven. The  
8 prosecution is required to be aware that to prove a crime existed there must  
9 be an injured party or loss and a causation of a crime by an actor that  
10 intentionally caused the injury OR LOSS. THE PROSECUTION NEVER CLAIMED  
11 THERE WAS A LOSS OF ANY KIND. If the "dignity of the State" were to be  
12 construed as an actual injury or loss (and the prosecution did not proven it  
13 to be in this case), then such dignity was severely injured by the acts of  
14 the prosecutor and the judge themselves in this presumed case for the  
15 multitude of violations of due process, equal protection of law, malicious  
16 prosecution, acts of misconduct, malfeasance, misfeasance, nonfeasance,  
17 unlawful retaliation, and usurpation by the employees of the City of Irving,  
18 its agents, and the State. The prosecution was also informed by the  
19 defendant that Corpus Delicti was a legal requirement; therefore they had no  
20 excuse of ignorance, and ignorance of the law is no excuse anyway -  
21 especially for the government. The very fabric of ANY crime is Corpus  
22 Delicti and in this case there was no adversary to have been injured,  
23 therefore no injury or crime ever occurred and the prosecution was aware of  
24 this fact, yet proceeded with the malicious prosecution anyway. The State  
25 is by law NOT considered an individual therefore "can not be" injured.

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1 adversary or have individual rights, AND the prosecution never attempted to  
 2 establish that it was. Therefore, the State Can NOT be a plaintiff.  
 3 Additionally, simply traveling down the road with the flow of traffic is NOT  
 4 a crime and the prosecution could never prove that it was because there was  
 5 no injured party or loss to anyone, nor could the prosecution prove it was  
 6 unreasonable or unsafe and not prudent in a proper court "of law." Such in  
 7 fact IS REASONABLE, as moving slower than the flow of traffic statistically  
 8 is exactly what causes more accidents than those that are going with the  
 9 flow. It is therefore UNREASONABLE for the State to pick and choose whom  
 10 they wish to attack as victims for wanton revenue generation enrichment, and  
 11 without probable cause. Even if these things did exist, the Trial Court  
 12 deprived the defendant of his UNALIANABLE CONSTITUTIONAL RIGHTS to due  
 13 process of law and equal protection of law at every stage of the assumed  
 14 case proceedings, and such will be detailed in the appeal brief and  
 15 complaints to oversight entities and in any malicious prosecution lawsuits I  
 16 may choose to pursue. Furthermore, the prosecution "never" had a "CASE."  
 17 The prosecution deceived the Jury on the "Charge" as being a CASE. The two  
 18 are NOT the same. Without a "Case" and "All of the REQUIRED elements"  
 19 thereof, the court had no subject matter jurisdiction, therefore the Court  
 20 usurped to have authority when it did not in fact have such authority.

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**STATEMENT OF FACTS; Points and Authorities:**

23 The prosecution admitted that I was "not being charged with an injury to  
 24 anyone." Therefore, the government can not prove Corpus Delicti, as the  
 25 limit of government is to protect the individual rights defined by the

1 Declaration of Independence and the U.S. Constitution. There being NO  
2 injured individual, there being NO crime against any individual.  
3

4 **FEDERAL RULES OF CRIMINAL PROCEDURE**

5 **RULE 29 Motion for a Judgment of Acquittal:**

6 **(c) After Jury Verdict or Discharge.**

7 1. **Time for a Motion.** A defendant may move for a  
8 judgment of acquittal, or renew such a motion,  
9 within 7 days after a guilty verdict or after the  
10 court discharges the jury, whichever is later.

11 2. **No Prior Motion Required.** A defendant is not  
12 required to move for a judgment of acquittal before  
13 the court submits the case to the jury as a  
14 prerequisite for making such a motion after jury  
15 discharge.

16 The seventh calendar day is today (the date of this filing) April 3, 2013.  
17 Further, the defendant requested that in his closing statements and in the  
18 jury instructions be include the 1<sup>st</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, and 14<sup>th</sup> Amendments to be  
19 addressed and entered that defined the rights of the Defendant to be allowed  
20 to confront his government with grievances and be secure in his person,  
21 papers, property without due process of law and equal protection of law.  
22 The court denied such lawful request. Such denial was a blatant violation  
23 of the defendant's civil rights to cite the Constitution (and other laws) in  
24 his defense.  
25

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1 **RULE 30. Jury Instructions**

2 (a) **In General.** Any party may request in writing that the court  
3 instruct the jury on the law as specified in the request. The  
4 request must be made at the close of the evidence or at any  
5 earlier time that the court reasonably sets.

6 (d) **Objections to Instructions.** A party who objects to any portion of  
7 the instructions or to the failure to give a requested instruction  
8 must inform the court of the objection before the jury retires to  
9 deliberate.

10 Even though the request was made verbally, such was reference to the  
11 writing the defendant handed to the judge. As to section (d) as stated  
12 above on objections, the record will show that I did attempt to object to  
13 the refusal of the court to enter such requested laws. Only **under duress**  
14 of earlier unlawful bias and prejudice of the court and deprivations of due  
15 process did I not pursue the objection further.

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17 **TITLE VII. POST CONVICTION PROCEDURES**

18 **RULE 32. Sentence and Judgment**

19 (a) **Definitions.** The following definitions apply under this rule:

20 (2) "**Victim**" means an individual against whom the defendant  
21 **committed the offense** for which the court will impose sentence.

22  
23 The above is the language of the Federal Rules of Criminal Procedure that  
24 reference and define **Corpus Delicti** and **Standing**. A crime is committed only  
25 against AN INDIVIDUAL by another INDIVIDUAL. Therefore, a STATE can NOT be

1 an individual, therefore it can not be a VICTIM, therefore there is no  
2 violation of any INDIVIDUAL'S RIGHTS, therefore there is NO CRIME,  
3 therefore, the prosecution fails to establish foundation, therefore the  
4 prosecution LACKS STANDING, and therefore the Court is WITHOUT SUBJECT  
5 MATTER JURISDICTION.

6 Corpus delicti

7 A Latin term meaning the "body of [the] crime" that refers to the idea that the requisite  
8 elements of a crime must be proven before an individual can be tried for the crime.

9 Corpus Delicti in Texas:

10 "Wigmore explains the American concept of the *corpus delicti*  
11 rule thus:

12 [Every crime] reveals three component parts, first, the  
13 occurrence of the **specific** kind of **injury** or loss (as in  
14 homicide, a person deceased; in arson, a house burnt; in  
15 larceny, property missing); *secondly*, somebody's criminality  
16 (in contrast, e.g., to accident) as the source of the loss,-  
17 -these two together involving the commission of a crime by  
18 somebody; and *thirdly*, the accused's identity as the doer of  
19 the crime.

20  
21 In most American jurisdictions, including Texas, the *corpus*  
22 *delicti* rules requires some corroboration of the first two  
23 elements-an injury or loss and a criminal agent..." Salazar  
24 v. State, 86 S.W.3d 640, 645.

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American courts take the view that the phrase "*corpus delicti*" includes first, the fact of an **injury** or a loss and secondly, the fact of somebody's criminality (in contrast e.g. to accident) as the cause of the injury or loss." United States. v. Echeles, 222 F.2d 144, 155 (C.A. 10th Cir Ill.).

### **Standing requirements**

There are three standing requirements:

1. **Injury:** "The plaintiff" **must** have suffered or imminently will suffer **injury**—an invasion of a legally protected interest that is concrete and particularized. **The injury must be actual or imminent, distinct and palpable, not abstract.**
2. **Causation:** There must be a causal connection between the **injury** and the conduct complained of, so that the injury is fairly traceable to the challenged action of the defendant and not the result of the independent action of some third party who is not before the court.
3. **Redressability:** It must be likely, as opposed to merely speculative, that a favorable court decision will redress the **injury**.

### **Prudential limitations**

**Prohibition of Third Party Standing: A party may only assert his or her own rights and cannot raise the claims of a third party who is not before the court;**

**STANDING:** West Virginia (most other states and the Federal courts are very similar):

"It is well-recognized, and we now so hold, that [s]tanding...is comprised of three elements; first, the party...[attempting to establish standing] **must have suffered an "injury-in-fact"** - an invasion of a legally protected interest which is (a) concrete and particularized and (b) **actual or imminent and not conjectural or hypothetical**. Second, there must be a causal

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1 connection [between] the injury and the conduct forming the  
2 basis of the suit. Third, it must be likely that **the injury**  
3 will be redressed through a favorable decision of the court."  
4 Findley v. State Farm Mut. Auto. Ins. Co., 576 S.E.2d 807,821.

5  
6 "Generally, standing is defined as '[a] party's right to make  
7 a legal claim or seek judicial enforcement of a duty or  
8 right.'" Findley v. State Farm Mut. Auto. Ins. Co., 213 W.Va.  
9 80, 94, 576 S.E.2d 807,821 (2002)...One aspect of standing is  
10 that one generally lacks standing to assert the rights of  
11 another." State ex rel. Lueng v. Sanders, 584 S.E.2d 203, 212  
12 (W.Va. 2003).

13  
14 **RULE 32 (j) (1) (c) Appeal Costs.** The court MUST advise a defendant who is  
15 unable to pay appeal costs of the right to ask for permission to appeal in  
16 forma pauperis.

17 **(2) Clerk's Filing of Notice.** If the defendant so requests, the clerk must  
18 immediately prepare and file a notice of appeal on the defendant's behalf.

19  
20 Such request is hereby demanded that the court file the notice of appeal on  
21 the defendant's behalf.

22  
23 The court failed to advise me on the Rules above on appeal costs and the  
24 right to proceed in forma pauperis thereby rendering the court in err in  
25 addition to all the other errs.

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1  
2 FRCP Rule 32(k)(1) In General. In the judgment of conviction, the court  
3 MUST set forth the plea, the jury verdict or the court's findings, the  
4 adjudication, and the sentence. If the defendant is found not guilty OR is  
5 otherwise entitled to be discharged, the court MUST so order. The judge  
6 MUST sign the judgment, and the clerk MUST enter it.

7  
8 RULE 32.1 (e) Producing a Statement. Rule 26.2(a)-(d) and (f) applies at a  
9 hearing under this rule. If a party fails to comply with a Rule 26.2 order  
10 to produce a witness's statement, the court MUST NOT consider that witness's  
11 testimony.

12 By the court's failure to order the discovery demands referenced herein, the  
13 court itself erred and conspired with the prosecution and the witness to  
14 deprive me of the discovery I requested. The injury to me was then  
15 compounded by the court allowing the witness to testify.

16  
17 **RULE 34. Arresting Judgment**

18 (a) In General. Upon the defendant's motion or on it's own, the court  
19 MUST arrest the judgment if:

- 20 (1) the indictment or information does not charge an offense;  
21 (2) the court does not have jurisdiction of the charge of offense.

22 Under the 1<sup>st</sup> Amendment to the Constitution I have the UNAILIANABLE RIGHT to  
23 confront my government for redress for grievances. Such was attempted  
24 several times, and each time I was deprived said right.

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1 U.S. Constitution: Amendment I

2 Congress shall make no law respecting an establishment of religion, or  
3 prohibiting the free exercise thereof; or abridging the freedom of speech,  
4 or of the press; or the right of the people peaceably to assemble, and to  
5 petition the Government for a redress of grievances.

6 Under the 4<sup>th</sup> Amendment to the U.S. Constitution I have the UNAILIANABLE  
7 RIGHT to be secure in my person, houses, papers, and effects against  
8 unreasonable search and seizure and warrants.

9 U.S. Constitution: Amendment IV

10 The right of the people to be secure in their persons, houses, papers, and  
11 effects, against unreasonable searches and seizures, shall not be violated,  
12 and no Warrants shall issue, but upon probable cause, supported by Oath  
13 or affirmation, and particularly describing the place to be searched, and  
14 the persons or things to be seized.

15 Under the 5<sup>th</sup> Amendment to the U.S. Constitution I have the UNAILIANABLE  
16 RIGHT to not be deprived of life, liberty, or property, without due process  
17 of law; nor shall private property be taken for public use, without just  
18 compensation.

19 U.S. Constitution: Amendment V

20 No person shall be held to answer for a capital, or otherwise infamous  
21 crime, unless on a presentment or indictment of a Grand Jury, except in  
22 cases arising in the land or naval forces, or in the Militia, when in actual  
23 service in time of War or public danger; nor shall any person be subject  
24 for the same offence to be twice put in jeopardy of life or limb; nor shall  
25 be compelled in any criminal case to be a witness against himself, nor be  
deprived of life, liberty, or property, without due process of law; nor  
shall private property be taken for public use, without just compensation.

Under the 6<sup>th</sup> Amendment to the U.S. Constitution I have the UNAILIANABLE  
RIGHT to be informed of the nature and cause of the accusation; to be  
confronted with the witnesses against me; to have compulsory process for  
obtaining witnesses.

U.S. Constitution: Amendment VI

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1 In all criminal prosecutions, the accused shall enjoy the right to a  
2 speedy and public trial, by an impartial jury of the State and district  
3 wherein the crime shall have been committed, which district shall have  
4 been previously ascertained by law, and to be informed of the nature  
5 and cause of the accusation; to be confronted with the witnesses  
6 against him; to have compulsory process for obtaining witnesses in  
7 his favor, and to have the Assistance of Counsel for his defense.

8 Under the 14<sup>th</sup> Amendment to the U.S. Constitution I have the UNAILIANABLE  
9 RIGHT to the privileges and immunities of citizens of the United States and  
10 shall not be deprived my right to life, liberty, or property without the due  
11 process of law and/or the equal protections of the law.

12 U.S. Constitution: Amendment XIV

13 Section 1.

14 All persons born or naturalized in the United States, and subject to  
15 the jurisdiction thereof, are citizens of the United States and of the State  
16 wherein they reside. No State shall make or enforce any law which  
17 shall abridge the privileges or immunities of citizens of the United  
18 States; nor shall any State deprive any person of life, liberty, or  
19 property, without due process of law; nor deny to any person within  
20 its jurisdiction the equal protection of the laws.

21 I was deprived my right to discovery by both the prosecutor and the judge as  
22 a process of law in both civil and criminal cases guaranteed me by the U.S.  
23 Constitution and the Texas Constitution and all subordinate laws therein in  
24 this case in the form of written interrogatories and demand for production  
25 of documents and evidence was ignored by the prosecution and denied by the  
judge without even any opposition being filed from the prosecutor in any  
form whatsoever; the prosecutor's failure to act to actually issue the full  
process of opposing or denying said discovery in itself is an act of  
deprivation of such lawful discovery demands. Thus making the judge himself  
an unlawful and unconstitutional actor/usurper in the capacity of prosecutor  
in a case he is presiding over.

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Notice of Motion and Motion for Judgment of Acquittal - Pg 10 of 16

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CODE OF CRIMINAL PROCEDURE  
TITLE 1. CODE OF CRIMINAL PROCEDURE  
CHAPTER 39. DEPOSITIONS AND DISCOVERY

**Art. 39.04. APPLICABILITY OF CIVIL RULES. The rules prescribed in civil cases for issuance of commissions, subpoenaing witnesses, taking the depositions of witnesses and all other formalities governing depositions shall, as to the manner and form of taking and returning the same and other formalities to the taking of the same, govern in criminal actions, when not in conflict with this Code.**

Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722.

**Art. 39.05. OBJECTIONS. The rules of procedure as to objections in depositions in civil actions shall govern in criminal actions when not in conflict with this Code.**

Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722.

**Art. 39.06. WRITTEN INTERROGATORIES. When any such deposition is to be taken by written interrogatories, such written interrogatories shall be filed with the clerk of the court, and a copy of the same served on all other parties or their counsel for the length of time and in the manner required for service of interrogatories in civil action, and the same procedure shall also be followed with reference to cross-interrogatories as that prescribed in civil actions.**

Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722.

**Art. 39.10. RETURN. In all cases the return of depositions may be made as provided in civil actions.**

Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722.

**Art. 39.11. WAIVER.** The State and defense may agree upon a waiver of any formalities in the taking of a deposition other than that the taking of such deposition must be under oath.

Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722.

**Art. 39.12. PREDICATE TO READ.** Depositions taken in criminal actions shall not be read unless oath be made that the witness resides out of the State; or that since his deposition was taken, the witness has died; or that he has removed beyond the limits of the State; or that he has been prevented from attending the court through the act or agency of

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**MUNICIPAL COURT**



1 the defendant; or by the act or agency of any person whose object was  
 2 to deprive the defendant of the benefit of the testimony; or that by  
 3 reason of age or bodily infirmity, such witness cannot attend. When the  
 4 deposition is sought to be used by the State, the oath may be made by any  
 5 credible person. When sought to be used by the defendant, the oath shall  
 6 be made by him in person.

7 Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722.

8 **Art. 39.13. IMPEACHMENT. Nothing contained in the**  
 9 **preceding Articles shall be construed as prohibiting the use of any**  
 10 **such evidence for impeachment purposes under the rules of evidence**  
 11 **heretofore existing at common law.**

12 Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722.

13 Art. 39.14. DISCOVERY. (a) Upon motion of the defendant  
 14 showing good cause therefore and upon notice to the other parties, except  
 15 as provided by Article 39.15, the court in which an action is pending  
 16 shall order the State before or during trial of a criminal action  
 17 therein pending or on trial to produce and permit the inspection and  
 18 copying or photographing by or on behalf of the defendant of any  
 19 designated documents, papers, written statement of the defendant,  
 20 (except written statements of witnesses and except the work product of  
 21 counsel in the case and their investigators and their notes or report),  
 22 books, accounts, letters, photographs, objects or tangible things not  
 23 privileged, which constitute or contain evidence material to any  
 24 matter involved in the action and which are in the possession, custody  
 25 or control of the State or any of its agencies. The order shall specify  
 the time, place and manner of making the inspection and taking the copies  
 and photographs of any of the aforementioned documents or tangible  
 evidence; provided, however, that the rights herein granted shall not  
 extend to written communications between the State or any of its agents  
 or representatives or employees. Nothing in this Act shall authorize the  
 removal of such evidence from the possession of the State, and any  
 inspection shall be in the presence of a representative of the State.

(b) On motion of a party and on notice to the other parties,  
the court in which an action is pending may order one or more of the  
other parties to disclose to the party making the motion the name and  
address of each person the other party may use at trial to present  
evidence under Rules 702, 703, and 705, Texas Rules of Evidence. The  
 court shall specify in the order the time and manner in which the other  
 party must make the disclosure to the moving party, but in specifying the  
 time in which the other party shall make disclosure the court shall

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MUNICIPAL COURT

require the other party to make the disclosure not later than the 20th day before the date the trial begins.

Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722.

Amended by Acts 1999, 76th Leg., ch. 578, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 1019, Sec. 1, eff. June 18, 2005.

Acts 2009, 81st Leg., R.S., Ch. 276, Sec. 2, eff. September 1, 2009.

**Conclusion:**

As a matter-of-law, the trial court willfully and maliciously denied my rights to due process of law and equal protection of law on multiple occasions, therefore the trial court was without jurisdiction to either proceed with discovery, or a trial, therefore the court had no jurisdiction to enter a demand for a new trial, or an appeal bond, or anything else other than dismissing this case by arresting the judgment and granting the motion herein sought for Judgment of Acquittal.

If the prosecution wishes to oppose my motion referenced herein or deny my claims of violations of law, then any such acts will be construed and considered additional acts of **intrinsic fraud upon the court**. And the abusers will subject themselves to complaints for misconduct and obstruction of justice and risk being sued in Federal Court for Civil Rights violations under **Title 42 U.S.C. §§ 1983, 1985, 1986 and Title 18, U.S.C., §§ 241, 242, 245, & 14141, and Title 28 as applicable.**

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**MUNICIPAL COURT**

Notice of Motion and Motion for Judgment of Acquittal - Pg 15 of 18

1 The limits of the Government are to protect and defend MY RIGHTS. As is  
2 stated in the Declaration of Independence and the U.S. Constitution; THE  
3 GOVERNMENT IS ESTABLISHED TO PROTECT THE UNALIANNABLE RIGHTS OF THE  
4 INDIVIDUAL.

5 By violating their oaths to protect and defend the Constitution (my rights),  
6 the prosecutor and the judge in this case have usurped their positions &  
7 powers and are therefore trespassers of the law. The trial court never had  
8 subject matter jurisdiction as the prosecution could not by its own  
9 admission establish CORPUS DELICTI or STANDING, as there was never an  
10 injured individual whose rights were violated, and there is no third party  
11 standing rule as a matter of law, therefore there was never a crime  
12 committed. They each knew or should have known these things as it was not  
13 only their sworn duty, but I informed them of these things as well (see the  
14 court record and the motions in limine and the motions to dismiss that I  
15 filed and verbally made respectively), therefore their acts to prosecute  
16 this case have been malicious and calculated to frustrate me into compliance  
17 of their will, to trump the law of the land and dominate me and my rights  
18 with the objective to the taking of my property (my money) without due  
19 process of law.

20 FRCP Rule 32(k) (1) In General. In the judgment of conviction, the court  
21 MUST set forth the plea, the jury verdict or the court's findings, the  
22 adjudication, and the sentence. If the defendant is found not guilty OR is  
23 otherwise entitled to be discharged, the court MUST so order. The judge  
24 MUST sign the judgment, and the clerk MUST enter it.

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Notice of Motion and Motion for Judgment of Acquittal - Pg 5 **MUNICIPAL COURT**

1 FRCP 34. Arresting Judgment - In General. Upon the defendant's motion or on  
2 it's own, the court MUST arrest the judgment if:

3 (3) the indictment or information does not charge an offense;

4 (4) the court does not have jurisdiction of the charge of offense.

5  
6 In anticipation and expectation that the trial court will deny this motion  
7 for Acquittal, and arrest of judgment, defendant hereby demands that the  
8 Clerk File the Notice of Appeal on behalf of the defendant as is required in  
9 FRCP Rule 32(j)(2) and remove this case to Federal Court. Further, a new  
10 trial is unlawful as the prosecution can not prove Corpus Delicti as there  
11 is no injured party, and the court itself has clearly displayed that it is  
12 bias and prejudice against the defendant, therefore a new trial would render  
13 no results of a fair trial or process of equal protections of law or due  
14 process. It is extremely obvious as will be reflected in the record that  
15 the trial court was not a court of law, but a kangaroo court with an  
16 objective of railroad prosecution for wanton revenue.

17  
18 **Prayer:** Not only did the court err in improperly allowing the testimony  
19 about LIDAR to be entered when there has been no Judicial Notice of the unit  
20 in question as to its novel scientific reliability and proper use, and in  
21 spite of there being the citation of case law AGAINST it's admissibility for  
22 such lack of "FULL BLOWN" Kelly Gatekeeper hearings, but **since the witness**  
23 **stated under oath that he was not sure of the proper procedures being**  
24 **followed as to the use of the equipment or its calibrations and that he had**  
25 **not read the users manual for the equipment, and the fact that he admitted**

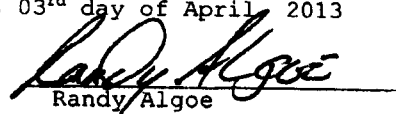
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Notice of Motion and Motion for Judgment of Acquittal - Pg 17 of 18 APR 03 2013

**PRINCIPAL COURT**

1 the LIDAR unit was only tested against an immobile sign at the beginning of  
2 his shift and not a moving vehicle with a calibrated speedometer and at  
3 different speeds, then a new trial would be an abuse of process as these  
4 facts can not be changed in a new trial and therefore the circumstances and  
5 testimony can not be any different in a new trial, therefore a new trial  
6 would be abusive and unwarranted. As a New Trial would obviously render no  
7 different results and since the court has already established that it is  
8 bias and prejudice, such process is unwarranted and abusive in lieu of an  
9 acquittal or an appeal. When a court (including any public servants)  
10 exceeds its authority or jurisdiction, and/or usurps powers it does not  
11 legally possess, that court by default, renders itself a mere interloper and  
12 trespasser of the law, therefore has NO AUTHORITY AT ALL. The Court is  
13 without authority or jurisdiction to require a new trial. If this motion  
14 for arrest of the judgment and an order of acquittal is denied, then an  
15 appeal is the proper process in this case and such is hereby demanded. It  
16 is hereby my prayer that the Court Arrest the Judgment and Order the  
17 Judgment of Acquittal forthwith. Further, in anticipation and expectation  
18 that the trial court will deny this motion for arrest of judgment and order  
19 of acquittal, defendant hereby demands that the Clerk File the Notice of  
20 Appeal on behalf of the defendant as is required in FRCP Rule 32(j)(2) and  
21 remove this case to Federal Court.

22  
23 Dated this 03<sup>rd</sup> day of April, 2013

24   
25 Randy Algoe

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Notice of Motion and Motion for Judgment of Acquittal - **MUNICIPAL COURT**

Exhibit "E"

1 Randy Algoe  
2 P.O. Box 821103  
3 North Richland Hills, TX. 76182

4 Grand Prairie Municipal Court  
5 P.O. Box 530990  
6 Grand Prairie, TX. 75053-0990  
7 (972) 237-8600

8 **GRAND PRAIRIE MUNICIPAL COURT**

9 City of Grand Prairie, the Grand  
10 Prairie Police Department, State of  
11 Texas

12 Plaintiff,

13 vs.

14 Randy Algoe,

15 Defendant

) Citation No.: K0421350

) Honorable Judge

) **NOTICE OF APPEAL;**  
) **MOTION/REQUEST TO THE HIGHER**  
) **COURT FOR WAIVER OF APPEAL BOND**  
) **OR TEMPORARY INJUNCTION AGAINST**  
) **APPEAL BOND PENDING DE NOVO**  
) **REVIEW AND WITNESS TESTIMONY**

Today's Date: 02/13/2014

16 **NOTICE OF APPEAL**

17 **MOTION/REQUEST TO THE HIGHER COURT FOR WAIVER**  
18 **OF APPEAL BOND OR TEMPORARY INJUNCTION AGAINST APPEAL**  
19 **BOND PENDING DE NOVO REVIEW AND WITNESS TESTIMONY.**

20 Notice is hereby given that the defendant in the above entitled case, Randy  
21 Algoe, hereby appeals the case to the appropriate court of appeal.

22 Motion/Request is also hereby made upon the court of appeal for a waiver of  
23 appeal bond or in lieu of such waiver, a temporary injunction against the  
24 requirement of such appeal bond as such appeal bonds, no matter how  
25 frequently demanded by the courts, are unconstitutional by the 14<sup>th</sup> Amendment  
of the U.S. Constitution, as the evidence and testimony of witnesses in a de  
novo review in a fair court will show that the trial court was without



1 subject matter jurisdiction to proceed with the trial of this case, therefore  
2 the lower court has no authority or jurisdiction to enter a demand for an  
3 appeal bond absent of DUE PROCESS OF LAW and EQUAL PROTECTION OF LAW.  
4

5 **STATEMENT OF FACTS:**

6 The trial court erred by allowing inadmissible evidence and testimony. The  
7 trial court erred by allowing testimony without the prosecution first  
8 establishing foundation, standing, or merit. The trial court erred by  
9 failing to require that the prosecution provide all judicially noticed  
10 evidence. The prosecution FAILED to provide any such judicially noticed  
11 evidence, therefore FAILED to establish foundation and/or Standing. The  
12 prosecution FAILED to provide all required elements and evidence to prove  
13 guilt. The prosecution admitted that I was "not being charged with an injury  
14 to anyone." Therefore, the government can not prove Corpus Delicti, as the  
15 limit of government is to protect the individual rights defined by the  
16 Declaration of Independence and the U.S. Constitution. There being NO  
17 injured individual, there being NO crime against any individual.  
18 Additionally, in expectation that the court will demand an appeal bond, said  
19 appeal bonds are unconstitutional as the very nature of an appeal is to  
20 confront our government for redress of grievances, while being secure in our  
21 individual unalienable rights as outlined in the U.S. Constitution, thus the  
22 appeal bonds are an attempt to deprive those unable to put up their property  
23 (money) or frustrate and fatigue individuals into compliance of a malicious  
24 prosecutors will, as collateral in response to unlawful intimidation by the  
25 prosecutor who erred in her duties to protect and defend the individual  
citizen of the United States.

1  
2 Under the 1<sup>st</sup> Amendment to the Constitution I have the UNAILIANABLE RIGHT to  
3 confront my government for redress for grievances.  
4

5 U.S. Constitution: Amendment I

6 Congress shall make no law respecting an establishment of religion, or  
7 prohibiting the free exercise thereof; or abridging the freedom of speech, or  
8 of the press; or the right of the people peaceably to assemble, and to  
9 petition the Government for a redress of grievances.

10 Under the 4<sup>th</sup> Amendment to the U.S. Constitution I have the UNAILIANABLE RIGHT  
11 to be secure in my person, houses, papers, and effects against unreasonable  
12 search and seizure and warrants.

13 U.S. Constitution: Amendment IV

14 The right of the people to be secure in their persons, houses, papers, and  
15 effects, against unreasonable searches and seizures, shall not be violated,  
16 and no Warrants shall issue, but upon probable cause, supported by Oath or  
17 affirmation, and particularly describing the place to be searched, and the  
18 persons or things to be seized.

19 Under the 5<sup>th</sup> Amendment to the U.S. Constitution I have the UNAILIANABLE RIGHT  
20 to not be deprived of life, liberty, or property, without due process of law;  
21 nor shall private property be taken for public use, without just  
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24 No person shall be held to answer for a capital, or otherwise infamous  
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3  
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6 CHAPTER 39. DEPOSITIONS AND DISCOVERY

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12 **govern in criminal actions, when not in conflict with this Code.**

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 20 **pending or on trial to produce and permit the inspection and copying**  
 21 **or photographing by or on behalf of the defendant of any designated**  
 22 **documents, papers, written statement of the defendant,** (except written  
 23 statements of witnesses and except the work product of counsel in the case  
 24 and their investigators and their notes or report), **books, accounts, letters,**  
 25 **photographs, objects or tangible things not privileged, which constitute**  
**or contain evidence material to any matter involved in the action and**  
**which are in the possession, custody or control of the State or any of its**  
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10 **Conclusion:**

11 As a matter-of-law, the trial court willfully and maliciously denied my  
12 rights to due process of law and equal protection of law, therefore the lower  
13 court is without jurisdiction to either proceed with discovery, or a trial,  
14 therefore the court had no jurisdiction to enter a demand for an appeal bond,  
15 therefore the requirement for an appeal bond as a matter-of-law must be  
16 waived or in lieu of such waiver this court must enter a temporary injunction  
17 against the requirement for such appeal bond until complete due process of  
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2 jurisdiction as the prosecution could not by its own admission establish  
3 CORPUS DELICTI or STANDING, as there was never an injured individual whose  
4 rights were violated, and there is no third party standing rule as a matter  
5 of law, therefore there was never a crime committed. They both knew or  
6 should have know these things as it is their sworn duty, therefore their acts  
7 to prosecute this case have been malicious and calculated to frustrate me  
8 into compliance of their will, to trump the law of the land and dominate me  
9 and my rights with the objective to the taking of my property (my money)  
10 without due process of law.

11 Additionally, If the appellate court has had ex parte' communications with  
12 the trial court or the prosecutor in said trial court, then the appellate  
13 court must recuse itself and refer this case to the next higher court as the  
14 Federal Courts (including the U.S. Supreme Court) have made it clear that  
15 "even the appearance if bias and/or prejudice is reason enough for the court  
16 to remove itself from hearing a case."

17 Dated this 13<sup>th</sup> day of February, 2014

18   
19 Randy Algoe  
20  
21  
22  
23  
24  
25



1 Randy Algoe  
2 P.O. Box 821103  
3 North Richland Hills, TX. 76182

4 Grand Prairie Municipal Court  
5 P.O. Box 530990  
6 Grand Prairie, TX. 75053-0990  
7 (972) 237-8600

8 **GRAND PRAIRIE MUNICIPAL COURT**

9 City of Grand Prairie, the Grand ) Citation No.:K0421350

10 ) Honorable Judge

11 Prairie Police Department, State of )

12 Texas

13 Plaintiff,

14 vs.

15 Randy Algoe,

16 Defendant

17 Today's Date: 02/24/2014

18 **NOTICE OF MOTION AND MOTION FOR JUDGMENT OF ACQUITTAL;**  
19 **MOTION FOR ARRESTING JUDGMENTS;**  
20 **DEMAND FOR CLERK TO FILE NOTICE OF APPEAL DE NOVO ON**  
21 **DEFENDANT'S BEHALF.**

22 Notice is hereby given and Motion is hereby entered for the defendant in the  
23 above entitled case, Randy Algoe, to be acquitted of all charges as the court  
24 itself did not have subject matter jurisdiction since the prosecution  
25 admittedly did not represent a lawful injured party as a plaintiff, and did  
not present any admissible evidence to support the charge of a crime, thereby  
failing to prove Corpus Delicti, failing to establish foundation, thereby  
lacking Standing. Further, the witness testimony and evidence was not  
admissible for the above mentioned reasons and for the fact that the  
prosecution failed to provide discovery as is mandated by the U.S.

1 Constitution and the Texas Constitution and all subordinate laws, in addition  
2 to the Judge issuing an order of the court for the State to produce such in  
3 accordance with Article 39.14, which states "The Court SHALL require the  
4 other party to make disclosure NOT LESS THAN THE 20<sup>TH</sup> DAY BEFORE THE DATE THE  
5 TRIAL BEGINS." Additionally, the witness stated on several occasions that he

6 did not know certain key points of fact that were required elements of  
7 establishing foundation and for proving a crime existed. Additionally, the  
8 witness either stated the items requested did not exist and/or he failed to  
9 provide any such things such as certifications or other records required to  
10 establish either his legal authority, or his qualifications for the  
11 dependency of lawful signage he claimed corroborated his assertions, and the  
12 prosecution itself failed to provide any such documented and certified  
13 records that are required to either establish foundation or proper procedures  
14 being followed or reliability of signage or other information relied upon by  
15 the witnesses or the prosecution. The officer even admitted under cross  
16 examination that HE COULD NOT see the light from the crossing direction,  
17 therefore his earlier testimony asserting that the light was red, was  
18 impeached, and the court should have dismissed the case immediately for this  
19 reason alone. Further, aside of the untimely admission of evidence, the  
20 prosecution entered inadmissible evidence of photographs from the direction  
21 referenced above, which were NOT taken, nor supplied by the officer, and in  
22 fact there were no witnesses at all that testified as to whom took those  
23 pictures or when, or that they were accurate or even certified, therefore,  
24 they too were inadmissible as hearsay aside of their not being provided in  
25 accordance with Article 39.14 and/or the court order thereto. The court  
itself erred on many issues of procedure, and intentionally & willfully

1 deprived the defendant of due process and equal protections of law, including  
2 but not limited to several deprivations of the right to cite laws to his  
3 defense and deprivations of rights enumerated in the Constitution of Texas  
4 and the U.S. Constitution. Additionally, the dignity of the State was never  
5 identified as an injured party before the jury nor even established by the  
6 prosecution as an eligible injury to a party prior to trial or even at trial,  
7 therefore the State can not be considered as a plaintiff, as it further "was  
8 not proven" by the prosecution to be injured nor eligible as an injured  
9 party. Further, the witness unequivocally stated THERE WAS NO INJURED PARTY.

10 Further, the officer witness admitted he committed a crime in an effort to  
11 allege a crime against the defendant, and he admitted he's done so at least  
12 30 other times. The Judge and Prosecutor are officers of the court and are  
13 REQUIRED BY LAW to inform the proper authorities of crimes they become aware  
14 of by other officers of the court, yet they each failed to do so, and  
15 therefore are themselves in violation of law and their official duties.

16 Further, since there is no such thing as third party standing, the State CAN  
17 NOT be an injured party in this case. Further to this point, "The State" was  
18 not made available for discovery or cross examination, nor were the States  
19 two witnesses. Further, the alleged "EXPERT" witness' testimony was

20 impeached when she admitted she had provided NO DOCUMENTATION WHATSOEVER as  
21 to her eligibility or authority to testify as a witness for the case at bar.

22 Further, both witnesses acknowledged the documents (several pages stapled  
23 together - collectively called "Work Activity Work Order") the prosecution  
24 admitted into evidence as exhibit(s) #4 WERE NOT CERTIFIED, thereby rendering  
25 them each and all inadmissible as hearsay. Further, the "EXPERT" witness  
admitted on the record that the "WORK ORDER" documents relied upon as

1 evidence did not even define what the documents related to, such as defining  
2 a specific no-turn-on-right sign. Further, the State's "EXPERT" witness  
3 admitted that the signs were once removed and there was NOT a new engineering  
4 and survey study or report generated or submitted to the State (TexDot) after  
5 major re-construction of the roadway in question was completed. Further, the  
6 witnesses admitted that the purpose of the signs in question were erected for  
7 the "SAFETY" of the traveling public, additionally, Officer Ward admitted  
8 that I, the accused, had proceeded SAFELY and that I did not cut anyone off,  
9 or impede anyone's travel, or startle anyone, etc., as there were no more  
10 vehicles approaching. Further, the State's "EXPERT" also admitted that an  
11 engineering and survey study and report is required by law to be submitted to  
12 the Texas Department of Transportation for review and approval before any  
13 such signs could be erected. Further, the State's "EXPERT" was not named or  
14 otherwise listed as a potential witness at any time prior to trial. Such  
15 discovery was lawfully propounded upon the prosecution, the court, and the  
16 witness. Such discovery was intentionally ignored and illegally deprived of  
17 the defendant and no opposition was filed and no hearings were ever  
18 conducted. There in fact were no hearings at all prior to trial. This so  
19 called trial was an illegal trial-by-ambush and the prosecutor and judge were  
20 complicit in the acts for wanton enrichment. I further believe that the  
21 Judge and Prosecutors were intentionally targeting via retaliation, anyone  
22 that refused to pay money to them in an induced act of bribery, where I and  
23 others were offered the choice of paying a \$25 "fee" to the judge directly in  
24 order to alter the record by keeping a conviction off our records. This  
25 "fee" was not disclosed as being applicable for any lawful purpose or to the  
benefit of any injured party. Further, "restitution" for the officer's

1 overtime would qualify him as being a **financial interested party**, thus making  
2 him a profiteer with an eye towards convicting anyone and everyone he's  
3 supposedly only been a witness against, for purpose of enriching himself,  
4 thereby rendering his testimony bias & prejudice, thereby inadmissible.

5 Further, there WERE NO PLAINTIFFS OR VICTIMS, only a witness - a witness to  
6 no crime at all as Corpus Delicti could not have been established and was in  
7 fact never established or even attempted to be established or proven. The  
8 prosecution is required to be aware that to prove a crime existed there must  
9 be an injured party or loss and a causation of a crime by an actor that  
10 intentionally caused the injury OR LOSS. THE PROSECUTION NEVER CLAIMED THERE

11 WAS A LOSS OF ANY KIND, nor an intentional criminal act against any injured

12 party. If the "dignity of the State" were to be construed as an actual  
13 injury or loss (and the prosecution did not even attempt to prove it to be in  
14 this case), then such dignity was severely injured by the acts of the  
15 Prosecutor and the Judge themselves in this presumed case, for the multitude  
16 of violations of due process, equal protection of law, malicious prosecution,  
17 acts of misconduct, malfeasance, misfeasance, nonfeasance, unlawful  
18 retaliation, and usurpation by the employees of the City of Irving, its  
19 agents, and the State. The prosecution was also informed by the defendant  
20 that Corpus Delicti was a legal requirement; therefore they had no excuse of  
21 ignorance, and ignorance of the law is no excuse anyway - especially for the  
22 government. The very fabric of ANY crime is Corpus Delicti and in this case  
23 there was no adversary to have been injured (which was admitted by the  
24 officer witness, Shawn Ward), therefore no injury or crime ever occurred and  
25 the prosecution was aware of this fact, yet proceeded with the malicious  
prosecution anyway. The State is by law NOT considered an individual

1 therefore "can not be" an injured adversary or have individual rights, AND  
2 the prosecution never attempted to establish that it was, thereby waiving any  
3 such claims to assert being an injured party. Therefore, the State Can NOT  
4 be a plaintiff. Additionally, simply traveling down the road with the flow  
5 of traffic is NOT a crime and the prosecution could never prove that it was  
6 because there was no injured party or loss to anyone, nor could the  
7 prosecution prove it was unreasonable or unsafe and not prudent in a proper  
8 court "of law." **Again, Officer Ward admitted THERE WAS NO INJURED PARTY."**

9 It is therefore UNREASONABLE for the State to pick and choose whom they wish  
10 to attack as victims for wanton revenue generation enrichment, and without  
11 probable cause. Even if these things did exist, the Trial Court deprived the  
12 defendant of his UNALIANABLE CONSTITUTIONAL RIGHTS to due process of law and  
13 equal protection of law and intentionally ignored the proper procedures of  
14 law at every stage of the assumed allegations, and such will be detailed in  
15 the appeal brief and complaints to oversight entities and in any malicious  
16 prosecution lawsuits I may choose to pursue. Furthermore, the prosecution  
17 "never" had a "CASE." The prosecution deceived the Jury on the "Charge" as  
18 being a CASE. The two are NOT the same. Without a "Case" and "All of the  
19 REQUIRED elements" thereof, the court had no subject matter jurisdiction,  
20 therefore the Court usurped to have authority when it did not in fact have  
21 such authority. I further believe that the prosecutor committed Intrinsic  
22 Fraud upon the court when she stated in closing statements to the jury that  
23 the documentation I demanded, such as engineering and survey studies and  
24 reports were not necessary to proving a crime. The laws requiring such  
25 documentation and process were not written for the purpose of wasting paper,

**it IS THE LAW!**

**STATEMENT OF FACTS; Points and Authorities:**

The witness admitted that there was no injury to anyone. Therefore, the government can not prove Corpus Delicti, as the limit of government is to protect the individual rights defined by the Declaration of Independence and the U.S. Constitution. There being NO injured individual, there being NO crime against any individual.

**FEDERAL RULES OF CRIMINAL PROCEDURE**

**RULE 29 Motion for a Judgment of Acquittal:**

**(c) After Jury Verdict or Discharge.**

1. **Time for a Motion.** A defendant may move for a judgment of acquittal, or renew such a motion, within 7 days after a guilty verdict or after the court discharges the jury, whichever is later.

2. **No Prior Motion Required.** A defendant is not required to move for a judgment of acquittal before the court submits the case to the jury as a prerequisite for making such a motion after jury discharge.

**Note:** the judge extended all timelines for appeals to February 27, 2014 as indicated in the record. Therefore, this motion is timely filed as its being served via U.S. mail on 02-24-2014. Further, the defendant requested that in his closing statements and in the jury instructions be include the 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, and 14<sup>th</sup> Amendments to be addressed and entered that defined the rights of the Defendant to be allowed



1 to confront his government with grievances and be secure in his person,  
2 papers, property without due process of law and equal protection of law. The  
3 defendant also requested that the court include Corpus Delicti and the  
4 elements therein defining a crime be included in the jury instruction so that  
5 a jury can understand them, otherwise they are left without knowledge of the  
6 requirements of law. The court denied such lawful request. Such denial was  
7 a blatant violation of the defendant's civil rights to cite the Constitution  
8 (and other laws) in his defense.

9  
10 **RULE 30. Jury Instructions**

11 **(a) In General.** Any party may request in writing that the court  
12 instruct the jury on the law as specified in the request. The  
13 request must be made at the close of the evidence or at any earlier  
14 time that the court reasonably sets.

15 **(d) Objections to Instructions.** A party who objects to any portion of  
16 the instructions or to the failure to give a requested instruction  
17 must inform the court of the objection before the jury retires to  
18 deliberate.

19 Even though the request was made verbally, such was reference to the writing  
20 the defendant handed to the judge. As to section (d) as stated above on  
21 objections, the record will show that I did attempt to object to the refusal  
22 of the court to enter such requested laws. Only **under duress** of earlier  
23 unlawful bias and prejudice of the court and deprivations of due process,  
24 including a threat from the judge to violate my right to liberty by finding  
25 me in contempt merely for asserting my right to cite the law, thereby  
placing me under duress, did I not pursue the objection further.

1  
2 **TITLE VII. POST CONVICTION PROCEDURES**

3 **RULE 32. Sentence and Judgment**

4 (a) **Definitions.** The following definitions apply under this rule:

5 (2) "Victim" means an individual against whom the defendant  
6 committed the offense for which the court will impose sentence.

7  
8 The above is the language of the Federal Rules of Criminal Procedure that  
9 reference and define **Corpus Delicti** and **Standing**. A crime is committed only  
10 against AN INDIVIDUAL by another INDIVIDUAL. Therefore, a STATE can NOT be  
11 an individual, therefore it can not be a VICTIM, therefore there is no  
12 violation of any INDIVIDUAL'S RIGHTS, therefore there is NO CRIME, therefore,  
13 the prosecution fails to establish foundation, therefore the prosecution  
14 LACKS STANDING, and therefore **the Court is WITHOUT SUBJECT MATTER**  
15 **JURISDICTION.**

16 **Corpus delicti**

17 A Latin term meaning the "body of [the] crime" that refers to the idea that the requisite  
18 elements of a crime must be proven before an individual can be tried for the crime.

19 **Corpus Delicti in Texas:**

20 "Wigmore explains the American concept of the *corpus delicti*  
21 rule thus:

22 **[Every crime]** reveals three component parts, *first*, the  
23 occurrence of the **specific** kind of **injury** or loss (as in  
24 homicide, a person deceased; in arson, a house burnt; in  
25 larceny, property missing); *secondly*, somebody's criminality

(in contrast, e.g., to accident) as the source of the loss,--  
 these two together involving the commission of a crime by  
 somebody; and *thirdly*, the accused's *identity* as the doer of  
 the crime.

In most American jurisdictions, including Texas, the *corpus delicti* rules requires some corroboration of the first two elements--an **injury** or loss and a criminal agent..." Salazar v. State, 86 S.W.3d 640, 645.

American courts take the view that the phrase "*corpus delicti*" includes first, the fact of an **injury** or a loss and secondly, the fact of somebody's criminality (in contrast e.g. to accident) as the cause of the injury or loss." United States. v. Echeles, 222 F.2d 144, 155 (C.A. 10th Cir Ill.).

### **Standing requirements**

There are three standing requirements:

1. **Injury:** "The plaintiff" **must** have suffered or imminently will suffer **injury**—an invasion of a legally protected interest that is concrete and particularized. **The injury must be actual or imminent, distinct and palpable, not abstract.**
2. **Causation:** There must be a causal connection between the **injury** and the conduct complained of, so that the injury is fairly traceable to the challenged action of the defendant and not the result of the independent action of some third party who is not before the court.
3. **Redressability:** It must be likely, as opposed to merely speculative, that a favorable court decision will redress the **injury**.

### **Prudential limitations**

**Prohibition of Third Party Standing: A party may only assert his or her own rights and cannot raise the claims of a third party who is not before the court;**

1 **STANDING:** West Virginia (most other states and the Federal courts are very  
2 similar):

3  
4 "It is well-recognized, and we now so hold, that [s]tanding...is  
5 comprised of three elements; first, the party...[attempting to  
6 establish standing] **must have suffered an "injury-in-fact"** - an  
7 invasion of a legally protected interest which is (a) concrete  
8 and particularized and (b) **actual or imminent and not**  
9 **conjectural or hypothetical.** Second, there must be a causal  
10 connection [between] the injury and the conduct forming the  
11 basis of the suit. Third, it must be likely that **the injury**  
12 will be redressed through a favorable decision of the court."  
13 Findley v. State Farm Mut. Auto. Ins. Co., 576 S.E.2d 807,821.

14 ""Generally, standing is defined as '[a] party's right to make a  
15 legal claim or seek judicial enforcement of a duty or right.'"  
16 Findley v. State Farm Mut. Auto. Ins. Co., 213 W.Va. 80, 94,  
17 576 S.E.2d 807,821 (2002)...**One aspect of standing is that one**  
18 **generally lacks standing to assert the rights of another."**  
19 State ex rel. Lueng v. Sanders, 584 S.E.2d 203, 212 (W.Va.  
20 2003).

21  
22 **RULE 32 (j) (1) (c) Appeal Costs.** The court MUST advise a defendant who is  
23 unable to pay appeal costs of the right to ask for permission to appeal in  
24 forma pauperis.  
25

1 (2) Clerk's Filing of Notice. If the defendant so requests, the clerk must  
2 immediately prepare and file a notice of appeal on the defendant's behalf.

3  
4 Such request is hereby demanded that the court file the notice of appeal on  
5 the defendant's behalf.

6  
7 The court failed to advise me on the Rules above on appeal costs and the  
8 right to proceed in forma pauperis thereby rendering the court in err in  
9 addition to all the other errs.

10  
11 FRCP Rule 32(k) (1) In General. In the judgment of conviction, the court MUST  
12 set forth the plea, the jury verdict or the court's findings, the  
13 adjudication, and the sentence. If the defendant is found not guilty OR is  
14 otherwise entitled to be discharged, the court MUST so order. The judge MUST  
15 sign the judgment, and the clerk MUST enter it.

16  
17 RULE 32.1 (e) Producing a Statement. Rule 26.2(a)-(d) and (f) applies at a  
18 hearing under this rule. If a party fails to comply with a Rule 26.2 order  
19 to produce a witness's statement, the court MUST NOT consider that witness's  
20 testimony.

21 By the court's failure to order the discovery be produced in a timely manor,  
22 (demands referenced herein), the court itself erred and conspired with or had  
23 a meeting of the minds with the prosecution and the witness to deprive me of  
24 the discovery I requested. The injury to me was then compounded by the court  
25 allowing the witness to testify.

1 **RULE 34. Arresting Judgment**

2 (a) **In General.** Upon the defendant's motion or on it's own, the court

3 MUST arrest the judgment if:

4 (1) the indictment or information does not charge an offense;

5 (2) the court does not have jurisdiction of the charge of offense.

6 Under the 1<sup>st</sup> Amendment to the Constitution I have the UNAILIANABLE RIGHT to  
7 confront my government for redress for grievances. Such was attempted  
8 several times, and each time I was deprived said right.

9  
10 **U.S. Constitution: Amendment I**

11 Congress shall make no law respecting an establishment of religion, or  
12 prohibiting the free exercise thereof; or abridging the freedom of speech, or  
13 of the press; or the right of the people peaceably to assemble, and to  
petition the Government for a redress of grievances.

14 Under the 4<sup>th</sup> Amendment to the U.S. Constitution I have the UNAILIANABLE RIGHT  
15 to be secure in my person, houses, papers, and effects against unreasonable  
16 search and seizure and warrants.

17  
18 **U.S. Constitution: Amendment IV**

19 The right of the people to be secure in their persons, houses, papers, and  
20 effects, against unreasonable searches and seizures, shall not be violated,  
21 and no Warrants shall issue, but upon probable cause, supported by Oath or  
22 affirmation, and particularly describing the place to be searched, and the  
23 persons or things to be seized.

24 Under the 5<sup>th</sup> Amendment to the U.S. Constitution I have the UNAILIANABLE RIGHT  
25 to not be deprived of life, liberty, or property, without due process of law;  
nor shall private property be taken for public use, without just  
compensation.

**U.S. Constitution: Amendment V**

No person shall be held to answer for a capital, or otherwise infamous  
crime, unless on a presentment or indictment of a Grand Jury, except in  
cases arising in the land or naval forces, or in the Militia, when in actual  
service in time of War or public danger; nor shall any person be subject for  
the same offence to be twice put in jeopardy of life or limb; nor shall be  
compelled in any criminal case to be a witness against himself, nor be

1 deprived of life, liberty, or property, without due process of law; nor shall  
 2 private property be taken for public use, without just compensation.

3 Under the 6<sup>th</sup> Amendment to the U.S. Constitution I have the UNAILIANABLE RIGHT  
 4 to be informed of the nature and cause of the accusation; to be confronted  
 5 with the witnesses against me; to have compulsory process for obtaining  
 6 witnesses, AND have the assistance of Council for my defense.

7 U.S. Constitution: Amendment VI

8 In all criminal prosecutions, the accused shall enjoy the right to a  
 9 speedy and public trial, by an impartial jury of the State and district  
 10 wherein the crime shall have been committed, which district shall have  
 11 been previously ascertained by law, and to be informed of the nature  
 12 and cause of the accusation; to be confronted with the witnesses  
against him; to have compulsory process for obtaining witnesses in his  
favor, and to have the Assistance of Counsel for his defense.

13 Under the 14<sup>th</sup> Amendment to the U.S. Constitution I have the UNAILIANABLE  
 14 RIGHT to the privileges and immunities of citizens of the United States and  
 15 shall not be deprived my right to life, liberty, or property without the due  
 16 process of law and/or the equal protections of the law.

17 U.S. Constitution: Amendment XIV

18 Section 1.

19 All persons born or naturalized in the United States, and subject to the  
 20 jurisdiction thereof, are citizens of the United States and of the State  
 21 wherein they reside. No State shall make or enforce any law which shall  
 22 abridge the privileges or immunities of citizens of the United States;  
nor shall any State deprive any person of life, liberty, or property,  
without due process of law; nor deny to any person within its  
jurisdiction the equal protection of the laws.

23 I was deprived my right to discovery by both the prosecutor and the judge as  
 24 a process of law in both civil and criminal cases guaranteed me by the U.S.  
 25 Constitution and the Texas Constitution and all subordinate laws therein in  
 this case in the form of written interrogatories and demand for production of



documents and evidence was ignored by the prosecution and denied by the judge after the prosecution failed to abide by the order of the court and without even any opposition being filed from the prosecutor in any form whatsoever; the prosecutor's failure to act to actually issue the full process of opposing or denying said discovery in itself is an act of deprivation of such lawful discovery demands and obstruction of justice. Thus making the judge himself an unlawful and unconstitutional actor/usurper in the capacity of prosecutor in a case he is presiding over.

CODE OF CRIMINAL PROCEDURE  
TITLE 1. CODE OF CRIMINAL PROCEDURE  
CHAPTER 39. DEPOSITIONS AND DISCOVERY

**Art. 39.04. APPLICABILITY OF CIVIL RULES. The rules prescribed in civil cases for issuance of commissions, subpoenaing witnesses, taking the depositions of witnesses and all other formalities governing depositions shall, as to the manner and form of taking and returning the same and other formalities to the taking of the same, govern in criminal actions, when not in conflict with this Code.**

Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722.

**Art. 39.05. OBJECTIONS. The rules of procedure as to objections in depositions in civil actions shall govern in criminal actions when not in conflict with this Code.**

Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722.

**Art. 39.06. WRITTEN INTERROGATORIES. When any such deposition is to be taken by written interrogatories, such written interrogatories shall be filed with the clerk of the court, and a copy of the same served on all other parties or their counsel for the length of time and in the manner required for service of interrogatories in civil action, and the same procedure shall also be followed with reference to cross-interrogatories as that prescribed in civil actions.**

Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722.

**Art. 39.10. RETURN. In all cases the return of depositions may be made as provided in civil actions.**

1 Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722.

2 Art. 39.11. WAIVER. The State and defense may agree upon a  
3 waiver of any formalities in the taking of a deposition other than that the  
4 taking of such deposition must be under oath.

5 Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722.

6 Art. 39.12. PREDICATE TO READ. Depositions taken in  
7 criminal actions shall not be read unless oath be made that the witness  
8 resides out of the State; or that since his deposition was taken, the witness  
9 has died; or that he has removed beyond the limits of the State; or that he  
10 has been prevented from attending the court through the act or agency of  
11 the defendant; **or by the act or agency of any person whose object was to  
deprive the defendant of the benefit of the testimony;** or that by reason  
of age or bodily infirmity, such witness cannot attend. When the deposition  
is sought to be used by the State, the oath may be made by any credible  
person. When sought to be used by the defendant, the oath shall be made by  
him in person.

12 Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722.

13 **Art. 39.13. IMPEACHMENT. Nothing contained in the**  
14 **preceding Articles shall be construed as prohibiting the use of any such**  
15 **evidence for impeachment purposes under the rules of evidence**  
**heretofore existing at common law.**

16 Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722.

17 Art. 39.14. DISCOVERY. (a) Upon motion of the defendant  
18 showing good cause therefore and upon notice to the other parties, except as  
19 provided by Article 39.15, **the court in which an action is pending shall**  
**order the State before or during trial of a criminal action therein**  
**pending or on trial to produce and permit the inspection and copying**  
**or photographing by or on behalf of the defendant of any designated**  
**documents, papers, written statement of the defendant,** (except written  
20 statements of witnesses and except the work product of counsel in the case  
21 and their investigators and their notes or report), **books, accounts, letters,**  
**photographs, objects or tangible things not privileged, which constitute**  
**or contain evidence material to any matter involved in the action and**  
**which are in the possession, custody or control of the State or any of its**  
**agencies.** The order shall specify the time, place and manner of making the  
22 inspection and taking the copies and photographs of any of the  
23 aforementioned documents or tangible evidence; provided, however, that  
24 the rights herein granted shall not extend to written communications  
25 between the State or any of its agents or representatives or

employees. Nothing in this Act shall authorize the removal of such evidence from the possession of the State, and any inspection shall be in the presence of a representative of the State.

**(b) On motion of a party and on notice to the other parties, the court in which an action is pending may order one or more of the other parties to disclose to the party making the motion the name and address of each person the other party may use at trial to present evidence under Rules 702, 703, and 705, Texas Rules of Evidence. The court shall specify in the order the time and manner in which the other party must make the disclosure to the moving party, but in specifying the time in which the other party shall make disclosure the court shall require the other party to make the disclosure not later than the 20th day before the date the trial begins.**

Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722.

Amended by Acts 1999, 76th Leg., ch. 578, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 1019, Sec. 1, eff. June 18, 2005.

Acts 2009, 81st Leg., R.S., Ch. 276, Sec. 2, eff. September 1, 2009.

**Conclusion:**

As a matter-of-law, the trial court willfully and maliciously denied my rights to due process of law and equal protection of law on multiple occasions, and no hearings were ever held, therefore the trial court was without jurisdiction to either proceed with discovery, or a trial, therefore the court had no jurisdiction to enter a demand for a new trial, or an appeal bond, or anything else other than dismissing this case by arresting the judgment and granting the motion herein sought for Judgment of Acquittal.

If the prosecution wishes to oppose my motion referenced herein or deny my claims of violations of law, then any such acts will be construed and considered additional acts of **intrinsic fraud upon the court.** And the

1 abusers will subject themselves to complaints for misconduct and obstruction  
2 of justice and risk being sued in Federal Court for Civil Rights violations  
3 under **Title 42 U.S.C. §§ 1983, 1985, 1986 and Title 18, U.S.C., §§ 241, 242, 245, &**  
4 **14141, and Title 28 as applicable.**

5 **The limits of the Government are to protect and defend MY RIGHTS. As is**  
6 **stated in the Declaration of Independence and the U.S. Constitution; THE**  
7 **GOVERNMENT IS ESTABLISHED TO PROTECT THE UNALIANNABLE RIGHTS OF THE**  
8 **INDIVIDUAL.**

9 By violating their oaths to protect and defend the Constitution (my rights),  
10 the prosecutor and the judge in this case have usurped their positions &  
11 powers and are therefore trespassers of the law. The trial court never had  
12 subject matter jurisdiction as the prosecution could not by its own admission  
13 establish CORPUS DELICTI or STANDING, as there was never an injured  
14 individual whose rights were violated, and there is no third party standing  
15 rule as a matter of law, and the witnesses admitted there were no supporting  
16 documents to prove every element of a crime, and the witness admitted there  
17 were no injured parties, therefore there was never a crime committed. They  
18 each knew or should have known these things as it was not only their sworn  
19 duty, but I informed them of these things as well (see the court record and  
20 the motions in limine and the motions to dismiss that I filed and verbally  
21 made respectively), therefore their acts to prosecute this case have been  
22 malicious and calculated to frustrate me into compliance of their will, to  
23 trump the law of the land and dominate me and my rights with the objective to  
24 the taking of my property (my money) without due process of law.

25 **FRCP Rule 32(k) (1) In General. In the judgment of conviction, the court MUST**  
**set forth the plea, the jury verdict or the court's findings, the**

1 adjudication, and the sentence. If the defendant is found not guilty OR is  
 2 otherwise entitled to be discharged, the court MUST so order. The judge MUST  
 3 sign the judgment, and the clerk MUST enter it.

4 FRCP 34. Arresting Judgment - In General. Upon the defendant's motion or on  
 5 its own, the court MUST arrest the judgment if:

- 6 (3) the indictment or information does not charge an offense;
- 7 (4) the court does not have jurisdiction of the charge of offense.

8  
 9 In anticipation and expectation that the trial court will deny this motion  
 10 for Acquittal, and arrest of judgment, defendant hereby demands that the  
 11 Clerk File the Notice of Appeal on behalf of the defendant as is required in  
 12 FRCP Rule 32(j)(2) and remove this case to Federal Court. Further, a new  
 13 trial is unlawful as the prosecution can not prove Corpus Delicti as there is  
 14 no injured party, and the court itself has clearly displayed that it is bias  
 15 and prejudice against the defendant, therefore a new trial would render no  
 16 results of a fair trial or process of equal protections of law or due  
 17 process. It is extremely obvious as will be reflected in the record that the  
 18 trial court was not a court of law, but a kangaroo court with an objective of  
 19 railroad prosecution for wanton revenue and personal enrichment of the  
 20 officers of the court.

21  
 22 **Prayer:** Not only did the court err in improperly allowing the testimony about  
 23 the signs and their placement to be entered when there has been no Judicial  
 24 Notice of the units in question and proper use, and in spite of there being  
 25 the citation of case law AGAINST it's admissibility for such lack of "FULL  
 BLOWN" Kelly Gatekeeper hearings, but **since the witness stated under oath**

1 that he did not provide the engineering evidence required for the lawful  
2 placement of the signs, and the fact that he admitted that he could not see  
3 the opposing/crossing red light, and that there was no injured party, then a  
4 new trial would be an abuse of process as these facts can not be changed in a  
5 new trial and therefore the circumstances and testimony can not be any  
6 different in a new trial, therefore a new trial would be abusive, unduly  
7 burdensome, and unwarranted. As a New Trial would obviously render no  
8 different results and since the court has already established that it is bias  
9 and prejudice, such process is unwarranted and abusive in lieu of an  
10 acquittal or an appeal. When a court (including any public servants) exceeds  
11 its authority or jurisdiction, and/or usurps powers it does not legally  
12 possess, that court by default, renders itself a mere interloper and  
13 trespasser of the law, therefore has NO AUTHORITY AT ALL. The Court is  
14 without authority or jurisdiction to require a new trial. If this motion for  
15 arrest of the judgment and an order of acquittal is denied, then an appeal is  
16 the proper process in this case and such is hereby demanded. It is hereby my  
17 prayer that the Court Arrest the Judgment and Order the Judgment of Acquittal  
18 forthwith. Further, in anticipation and expectation that the trial court  
19 will deny this motion for arrest of judgment and order of acquittal,  
20 defendant hereby demands that the Clerk File the Notice of Appeal on behalf  
21 of the defendant as is required in FRCP Rule 32(j)(2) and remove this case to  
22 Federal Court.

23 Dated this 24<sup>th</sup> day of February, 2014

24  
25 \_\_\_\_\_  
Randy Algoe

**Patricia Nasworthy** ← Grand Prairie, Tx Prosecutor

---

**From:** Patricia Nasworthy  
**Sent:** Wednesday, February 05, 2014 5:31 PM  
**To:** candace chappel (cchappel@irving.com) ← Irving, Tx Prosecutor  
**Subject:** do you have anything on this guy? -- Randy Algoe

Hi, Candace !!

↖ Note: confirmation of intent to conspire to target me.

I was doing some research on Mr. Algoe, who has made me care about his case. I found this opinion where he tried to remove your case to federal court AFTER the verdict.

We gave him a ticket and he requested a trial and now he is filing special interrogatories and other useless motions with us. Sounds like you must know him "personally" by now.

[http://tx.findacase.com/research/wfrmDocViewer.aspx/xq/fac.20130624\\_0001397.NTX.htm/qx](http://tx.findacase.com/research/wfrmDocViewer.aspx/xq/fac.20130624_0001397.NTX.htm/qx) ↑

Hope all is well with you !

*Trish Nasworthy*  
Assistant City Attorney  
City of Grand Prairie  
200 W. Main  
Grand Prairie, Texas 75050  
972-237-8606  
972-237-8650 fax

Note: Confirmation of her intent to deprive me of my rights to discovery and to retaliate against me just for filing discovery. Evidence of conspiracy to interfere with and deprive me of my rights to due process and equal protection of law, and conspiracy to convict (federal criminal violations of Title 18 USC 241, 242, and 245, also 1951, and 1961), Obstruction of Justice and more. Also note that this is also confirmation Patricia received the discovery long before the trial date, thus giving her time to respond to the discovery, or oppose it, or file for a continuance to allot more time to respond, but she obviously had no intent to produce it. Further note that Judge Chad Bull granted the demand for discovery, but she intentionally defied that court order. She later stated (on the date of the trial) that she did not respond because she didn't have my phone number. Other documents obtained from them have my phone number written on them, therefore such is further proof she committed intrinsic fraud upon the court by that claim (violations of the Prosecutors Special Rules and many more). Further, as I argued, she had my mailing address and was required to mail them or notify my by mail that they were available for my review and copying. Another email obtained verifies her intent to improperly use the trial date as a discovery hearing instead of doing what she's required by law to do - follow proper procedures. That other email (to officer, Ward, and Asst prosecutor, Suarez) affirmed her conspiracy and criminal intent to arrest me on the bogus warrant issued by the Irving Ct that had already been retracted due to its invalidity and abuses of law. On the morning of trial she DID threaten (unlawful intimidation and coercion) to have me arrested if I drove away from the Court house.



**Patricia Nasworthy**

---

**From:** Patricia Nasworthy  
**Sent:** Monday, February 10, 2014 11:27 AM  
**To:** Shawn Ward  
**Cc:** Megan Suarez  
**Subject:** trial on the 13th at 1 pm -- Randy Algoe

Confirmation she had unlawful ex-parte communications with the witness without my knowledge or consent.

Officer Ward,

Confirmation she knew the "trial" date, and had the ability to reschedule it.

This case is still set on the 1 pm docket for the 13<sup>th</sup>. I do not want to reschedule the case because the defendant has that active warrant. We most likely won't have the trial, however, we will use the setting as a discovery setting. **Therefore, you will need to be in attendance.** I know this is not a good time of the day for you and I apologize for this. If he wasn't such a disagreeable fellow and if he didn't have a warrant out for his arrest, I would ask to reschedule the hearing.

Thanks in advance for understanding !

*Trish Nasworthy*  
Assistant City Attorney  
City of Grand Prairie  
200 W. Main  
Grand Prairie, Texas 75050  
972-237-8606  
972-237-8650 fax

Affirmation and confirmation of her pre-meditated plot and intent to conspire to violate the procedures of court and the Prosecutors Special Rules by wrongful use of the court's trial docket and deprivation of my right to a pre-trial hearing and discovery. Additionally this affirms her intent and conspiracy to arrest me (on a bogus and invalid warrant from Irving that had already been retracted) as part of her plot for revenge for my simply filing for discovery. Additionally, this also is evidence (with other emails to Candace Chappell) that she had read the Fed Court documents therefore she knew or should have known the Irving warrant was bogus, yet she set out to conspire to target me for retaliation and vengeance anyway. Further, this is confirmation of her plot to conspire to interfere with and violate my several rights under Title 18 USC 241, 242, and 245, among many other laws.

Note: I had NEVER met her or spoken to her before! This statement of me being "such a disagreeable fellow" makes two things blatantly obvious -- In violation of the Prosecutor's Special Rules, Rules of Court, and Rules of Judicial Administration (among several other violations of law), she retaliates against anyone that requires her to do her job and do so in accordance with the proper procedures of law instead of just paying them their extortion and racketeering money, which is further "evidence and proof" of her intent to criminally retaliate - coercion and unlawful intimidation.

**Patricia Nasworthy**

---

**From:** Patricia Nasworthy  
**Sent:** Friday, April 18, 2014 12:21 PM  
**To:** Candace Chappell  
**Subject:** RE: Algae


He didn't pay the \$\$ required to do his appeal in GP. There is a Capias pro fine warrant out for him. And I have the certified copy of his driving record showing his license is suspended. Book him !!!!!!!

---

**From:** Candace Chappell [cchappel@cityofirving.org]  
**Sent:** Friday, April 18, 2014 11:38 AM  
**To:** Patricia Nasworthy  
**Subject:** Algae

Thought you would enjoy his latest maneuvers

Candace



Further Evidence and PROOF that Patricia Nasworthy and Candace Chappell (as well as others) PLOTTED THEIR REVENGE and CONSPIRED to deprive me of my right to liberty, among my many other rights. Also note that as stated in my complaint, the court has no authority to deprive me of the due process of law (such as an appeal) simply because I did not agree to pay THEIR COURT REPORTER to transcribe the recording of the hearing. THERE IS NO LAW THAT REQUIRES ME TO USE THEIR COURT REPORTER, THUS ENRICHING THEIR FRIENDS. Further, The Grand Prairie Court NEVER had Jurisdiction not only because they refused to produce discovery, but as the witnesses testified, the no right on red sign was not placed there in accordance with law, and Officer Ward ADMITTED THERE WERE NO INJURED PARTIES OF ANY KIND. Further, the prosecution NEVER claimed any injuries to anyone, and therefore never claimed any financial damages until after the case was sent to the jury and they returned with their verdict. Therefore any and all claims of financial damages are FRAUD for wanton fictitious debts (see: Title 18 USC 514 "Fictitious Obligation" prohibited).

Further, the court's later assessment of damages "for Officer Ward's overtime" made Officer Ward (and the municipality, and the police department) AN INTERESTED PARTY(S) TO THE CONSPIRACY TO CONVICT" as he is (and they are) direct beneficiaries to the REVENUE GENERATED by the conviction, thereby (in addition to his failure to respond to discovery) rendering his testimony inadmissible as the court failed to disclose this interested party in trial or to the Jury, thereby intentionally misinforming the jury of the FACTS. Further, there were NEVER any witnesses that testified as to ANY financial damages to the municipality or the police department, thereby rendering the entire FINE and court costs invalid! These things are also in violation to the Brady Rule.

This document is in response to the email Candace Chappell sent to Patricia Nasworthy that had the attached letter I had sent to the Mayor of Irving inquiring as to their procedures to file lawsuit against them for the Municipality of Irving's abuses (see other emails attached herewith).

## Patricia Nasworthy

**From:** Patricia Nasworthy  
**Sent:** Monday, April 21, 2014 8:47 AM  
**To:** Judge Chad Bull; Megan Suarez  
**Subject:** FW: Algoe  
**Attachments:** DOC.PDF

Rcvd this from Irving. Wonder if we will be next? I told her he had a capias pro fine warrant from us and to arrest him if he comes to court !

Confirmation Patricia had UNLAWFUL EX-PARTE' COMMUNICATIONS WITH JUDGE CHAD BULL. This would also indicate they have had other unlawful Ex-Parte' communications AND THAT THEY WERE CONSPIRING THEIR RETALIATION AND CONSPIRING TO CONVICT. Note the use of "WE" which is affirmation of guilt of mind and working in concert - illegally.

Trish Nasworthy  
Assistant City Attorney  
City of Grand Prairie  
200 W. Main  
Grand Prairie, Texas 75050  
972-237-8606  
972-237-8650 fax

Confirmation and affirmation of their plot to conspire to deprive me of my right to liberty and other protections of law, (see Title 18 USC 241, 242, 245 and several others), in retaliation for my simply propounding discovery and demanding the rules of law be followed.

### -----Original Message-----

**From:** Candace Chappell [mailto:cchappel@cityofirving.org]  
**Sent:** Friday, April 18, 2014 11:39 AM  
**To:** Patricia Nasworthy  
**Subject:** Algoe

Thought you would enjoy his latest maneuvers

Candace

Again, Confirmation and proof that Candace Chappell not only conspired with others to deprive me of my rights and guaranteed protections of laws in the Irving case, but also participated in the Conspiracy against my rights, in violation of Title 18, USC Sec(s) 241, 242, and 245, among many other violations of law, in the Grand Prairie case by forwarding the (next page) letter I sent to the Mayor of Irving inquiring as to their procedures before filing a lawsuit against them for their abuses, to Patricia Nasworthy. This also confirms they believe the judicial system and people's rights to due process are arbitrary and laughable. In addition, this affirms they DO NOT FEAR PUNITIVE ACTIONS AGAINST THEM FOR THEIR MISCONDUCT, THEREFORE THEY ARE INVINSABLE OVERLORDS, AS THEY BELIEVE THEY ARE ABOVE THE RULE OF LAW because they are part of the Good ol' Boys club that will not hold them accountable thereby making a mockery of the Judiciary and oversight authorities.

NOTE: As stated in my complaint, not only did the Irving and Grand Prairie courts both NOT HAVE JURISDICTION to do anything but dismiss the cases - primarily because they could not prove Corpus Delicti and they REFUSED TO ABIDE BY THE LAW TO PROVIDE DISCOVERY or follow proper procedures, but when I cross examined the witnesses on the stand they each admitted THERE WERE "NO INJURED PARTIES OF ANY KIND," among several other admissions that REMOVED JURISDICTION FROM THESE COURTS. Therefore everything they did was CRIMINAL CONSPIRACY AGAINST RIGHT, CONSPIRACY TO CONVICT and RETALIATE UNDER COLOR OF LAW - (see Title 5 USC 556(d), 557 and 706 - once due process is denied all jurisdiction ceases, TITLE 18 USC 1951 "The Hobbs Act" and TITLE 18 USC 1961-1968 "The RICO Act").

April 7, 2014

Certified Mail #: 70122210000075587447

Randy Algoe  
P.O. Box 821103  
North Richland Hills, TX. 76182

IRVING Municipal Court  
305 N. O'Connor Rd.  
Irving, TX. 75061  
(972) 721-3578

Attn: Mayor Beth Van Duyne and/or whomever else it may concern.

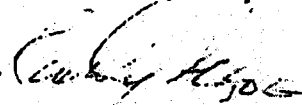
re: Federal lawsuit against the City of Irving, TX., City atty Candace Chappell, and Judge Rodney Adams, in their official and individual capacities, et al.

Dear Mayor Beth Van Duyne,

I have contacted your clerk not only requesting a meeting with you and the city council and/or commissioners, but also requesting that you commence an investigation into misconduct and a full blown Quo Warranto investigation into the misconduct and misapplication of law by the employees, staff, agents, contractors, etc. of the municipality of Irving, TX. I was told that an email request would suffice. I submitted said email and have not received any kind of response whatsoever.

I am therefore making a claim for violations of my civil rights and other causes of action in Federal Court. I hereby request from you, that you provide any and all details of process and filing requirements and pre-filing requirements for such actions to be mailed to me at the P.O. Box listed above within 10 days of the postage date of this letter. Consider this letter to be you being put on notice for any requirements you need to meet that. Failure to respond will be considered as your waiving of any pre-lawsuit requirements that you may have.

Sincerely,  
Randy Algoe



June 11, 2014

Attorney General Greg Abbott  
Office of the Attorney General  
P.O. Box 12548  
Austin, TX 78711 2548  
fax: (512) 494-8017

Attn: Texas Attorney General Greg Abbott and whomever else in the AG's office that this may concern...

CC: Texas Commission on Judicial Conduct; State Bar of Texas; Dallas County District Atty.; Travis County District Attorney; Texas Association of Municipalities; and any State and Federal agencies and political entities, and news organizations I choose to forward this to.

**THIS IS A VERIFIED COMPLAINT AND REQUEST FOR INVESTIGATION  
as well as demand that the government bodies referenced herein are ordered to  
produce all things I've requested in the Open Records Act and FOIA request.**

My name is Randy Algoe. I am in receipt of a copy of a letter sent to you from the municipality of Grand Prairie, TX. I believe there are several misrepresentations of fact in said letter to you, as well as acts of intrinsic and extrinsic fraud in an attempt to secure your office in assisting them in furtherance of their frauds and misconduct. I, as a citizen, am deeply offended at the flood of misconduct by these public servants. I fight citations not only because it's my absolute right to do so, but because most of them are in violation of the law (Title 18 USC § 245 - Federally protected activities, "Fraud" Title 18 USC § 1001), and especially the Hobbs Act (Title 18 U.S.C. §§ 241 and 242), additionally the prosecution in my experiences always violate the Brady Rule, among several other laws. Further, in my experience most municipal court judges and JP court judges either DO NOT know the law or just plain don't care what the law is and/or how they're violating the rights of the people. They hide behind the false cloak of judicial immunity when in fact they exceed their jurisdiction and authority in their wanton pursuit of revenue. When they exceed the limits of their office they usurp powers the do not legally possess, thereby rendering themselves mere interlopers and trespassers of the law. They do so under color of law, color of office, and color of official right, when in fact they are engaging in conduct for their own unlawful enrichment and that of the Municipality and the State. For this cloaked immunity fraud purpose I only recognize any authority of their office under "Admiralty Jurisdiction."

When someone like me stands up for his rights and attempts to force them to abide by the rule of law and PROVE EVERY ELEMENT of the charge of a "crime," they get PISSED and retaliate with conspired, complicit, and coordinated vengeance. It is my firm belief we have such a case here with the staff and Officers of the Court of Grand Prairie and Irving, TX. Further, at no time in either alleged case did a "Plaintiff" make an appearance. I therefore and hereby demand you do a full blown investigation (and a writ of quo warranto investigation) into their conduct, because I know I'm not the only



one they've violated, and their actions are to unlawfully intimidate me (and anyone else) into compliance of their illegal activities. Further to this point, on January 28<sup>th</sup> 2014 I appeared at Grand Prairie municipal court for a pre-trial "hearing," but there was no such hearing as the Judge himself (Chad Bull) FAILED TO APPEAR in violation of my rights to such hearing, and I believe in embezzlement of municipal funds for failure to perform his required duties. The same thing happened in the Irving case with Judge Rodney Adams. The Grand Prairie asst prosecutor (Megan Suarez) then attempted to negotiate a plea-bargain with me and added that "IF" you would agree to pay the lesser fine, then **"THIS JUDGE will keep it off your record, AND HE CHARGES A \$25 FEE to do so."** She wrote that figure on the cover of the jacket of the case, which is why I requested a copy thereof. This, to my understanding, meets the elements of the crime of **"Inducement of Bribery"** as the prosecutor and judge have conspired to offer the **alteration of the state record in exchange for cash.** Further violations of the Hobbs Act.

You will see in the Municipality's letter to you that they make several assertions; the biggest fraud of them all is that there was a case. There was not. There was only an illegal accusation of a crime that did not occur, but on cross examination the officer testified that he didn't even know what the elements of a crime were. Further they had illegal ex-parte communications with not only each other, but with the prosecutor from the city of Irving, where, as expressed in their email correspondences, they are ILLEGALLY exchanging information to coordinating a vengeful attack against me simply because I requested records that would make them prove their case and which I believe will ultimately show their own many violations of law and criminal conduct. Further, they have stated in that letter to your office that I did not file an appeal. THAT IS A LIE = misconduct for misrepresentation of material facts to your office = intrinsic and extrinsic fraud!

The record shows than I not only filed a notice of appeal, but also filed a motion to arrest the judgment and therein requested that IF the judge denies said motion then I DEMAND that the clerk of the court file the appeal on my behalf and I cited the state law that requires them to do so. THEY INTENTIONALLY FAILED TO ABIDE BY THAT LAW (just like all the other laws they defied) so that they could falsely claim that I did not file an appeal and so that they could continue to abuse me by their intent to extort money from me without proper due process of law, along with threats to arrest me for failure to comply with their illegal acts, all under color law.

I have several documents and points of law to show you and a proper court of law which clearly would show that neither of these municipal courts had proper authority or jurisdiction as they FAILED TO PRODUCE DISCOVERY OR AN INJURED PARTY and they FAILED TO SHOW THEY EVER HAD A CASE OR STANDING. The very essence of a crime is defined by Corpus Delicti and they failed to prove every element or any element really to prove a crime occurred. **A Judge is REQUIRED BY LAW TO VERIFY THAT ALL ELEMENTS OF A CRIME EXIST "BEFORE" ALLOWING A CASE TO BE CHARGED AND TRIAL TO BE SET. THIS JUDGE FAILED IN HIS DUTY TO DO SO, as most municipal and JP judges do.** Therefore, the Grand Prairie and Irving courts are nothing less than kangaroo courts hell bent on violating my rights and the rights of

others. I myself was verbally abused by the prosecutors in both actions. And in the Grand Prairie action the prosecutor even unlawfully threatened me with arrest if when I attempt to leave the court. Further, I witnessed both attorneys for Grand Prairie (Patricia Nasworthy and Megan Suarez) unlawfully intimidate two others that were there to fight their tickets. They were trying to intimidate the other two defendants into paying them money by stating "they (the prosecution) would still accept the lesser fine but if they (the defendants) proceeded to trial they'd lose because the jury is the same jury as earlier that day and they convicted those defendants for the same violations and they will convict you too." - This is blatant misconduct and I'd be more than happy to testify against them for such.

Every bit of the information I requested in my Open Records Request is needed and I'm entitled to it. Further, they stated many times in the letter to you that there was no finding of fact and conclusions of law for any rulings the judge made. That affirms that they have no authority of law to support what they've done. It is my educated opinion they are refusing these things to cover up their misconduct. Also note that there were several things the witnesses (and the Judge) stated on the record that also affirm their many acts of misconduct. The judge attempted many times to deprive me of citing the law and the Constitution and refused to insert any of my points of law in the jury instructions, and he even threatened to find me in contempt if I continued to assert my rights. Only under duress did I back down as I knew I could cite the record for his misconduct later.

Further, he is REQUIRED by LAW to inform the proper authorities of misconduct of other officers of the court. He failed to do so (and vise-versa against him) and they are now trying to cover it up by refusing to provide me the audio copy of the record. They falsely claim they can't provide it as they are under contract with an undisclosed outside source, but I was in the courtroom when the judge had the bailiff burn a cd/dvd copy of the audio record during the jury deliberation. In fact he had to postpone the jury re-entering the court for this reason. THAT record was produced in court and I'm entitled to a copy thereof.

Further, they have stated that the reason for depriving me of it is because they want their own people to profit to the tune of \$600 to transcribe the record. There is no law I know of that allows them to deprive me of such record because they want their insiders to profit. That to me would be another act of extortion and racketeering on their part (violations of the Hobbs act and the RICO act). Further, the court has illegally assessed a cost of \$25 for just the REQUEST of the transcription. This, to me, would constitute another act of extortion and racketeering. Such would also violate the Brady Rules.

Further, the court illegally assessed an "overtime" charge for the officer's appearance, and then listed it as "Restitution for the City Police Department," even though there was no one that testified as to any injury to the City whatsoever, and in the face of the officer testifying that there were NO injured parties at all. Additionally, not only does this expose the witness as an interested party, thereby bias and prejudice towards a conviction, therefore impeached by function of law, but THE JUDGE IS AN



INTERESTED PARTY AS WELL. The Judge should have recused himself immediately as he was exposed as a bias and prejudice judge as well as having unlawful ex-party communication with others and without my knowledge or consent, and was an interested party as a beneficiary of the revenue funds they were seeking.

Further, the files that I received so far show that the prosecutor knew she should have motioned to reschedule the trial because she had failed to produce discovery AS ORDERED BY THE COURT, but she had ulterior motives as she was plotting my arrest based upon a fraudulent warrant from the city of Irving, that I'd already demanded be revoked and it was, but she still had unlawful ex-parte communications with the officer, the Judge, and the prosecutor of Irving in this fraudulent pursuit to deprive me of my liberty and multitude of other acts of misconduct. The email exchanges between them unequivocally shows this illegally coordinated attack with knowledge and intent to deprive me of my right to liberty. Further, in one of the emails, the prosecutor for Grand Prairie (Patricia Nasworthy) is admitting to the officer that they are coordinating my arrest when I appear in court (basing it on a bogus and already revoked warrant from Irving), which is the real reason why she doesn't want to ask for a rescheduling of the trial. Further, she makes derogatory statements about me being a "disagreeable fellow" when in fact I had NEVER met or spoken with her before. I had simply filed motions for discovery under the rules of law. It couldn't be clearer that she plotted her revenge as retaliation just because I requested the evidence they are required to produce.

Further, in the documents I've received via my open records request there are three pages where the Judge has denied my motions. I NEVER received said documents prior to the response to this open records request. It would be my expectation that these documents (each dated Feb 27, 2014) are back dated forgeries.

Further, they stated in their letter to you that they provided me the information for filing my appeal and about other things they are required to convey, but they never did so. That is more misinformation they have fed you.

In my opinion, and it is hereby my request that they be fully investigated for what I believe to be several criminal acts, then upon the full investigation and Grand Jury indictment, they be arrested and prosecuted for their misconduct.

Further, the Judge forced me to sign an "application for payment" form that I did not want to sign, by threatening that I could not leave until I did so. I left several items blank as I believed they violated my rights, but the clerk then filled them in and instructed me to initial them. -- I then signed it and noted therein that it was signed under objection and duress.

Further, my open records request was ALSO A DEMAND UNDER THE FREEDOM OF INFORMATION ACT, which the TX AG has NO authority to deprive me of, therefore the AG's office MUST inform them that it has no authority to issue such opinion as such is outside of the AG's jurisdiction. To that end, they have now VIOLATED THE FOIA REQUEST by not responding to it.

As for points of concern in the trial process itself:

I motioned the court for assignment of counsel citing the U.S. Constitution. The judge denied such even when he had no authority to do so, as the Constitution is very clear that citizens are entitled to representation when accused of ANY and ALL crimes.

I also propounded discovery and cited State and Federal law. The Judge took the extrajudicial position of ordering the State to produce the discovery and cited article 39 (as the record will show) even though the Prosecution had not opposed the motion/request. The law is clear and there is no need for a court order, but the order effectually enhanced the requirement. The prosecution violated the law and the order of the court by failing to produce such.

On the day of trial, I attempted to file a motion in limine', which the judge attempted to refuse several times. I then attempted to cite laws therein and the judge attempted to silence me so that my statements would not be on the record. I then spoke over him with my demand that "I HAVE THE RIGHT TO CITE THE LAW IN A COURT OF LAW." Then I continued to speak over him as he was not conducting the court in the manner required by law under the Rules of Judicial Administration or in accordance with the Code of Judicial Conduct. I objected to the case going forward as the prosecution failed to provide the discovery demanded. He then stated that he ordered them to provide it and I agreed that he'd done so. The prosecutor (Patricia Nasworthy) stated they didn't provide it because I had refused to give my phone number. I argued that my phone number was irrelevant and I did not have to provide it, but that they had my P.O. Box and were required to produce the discovery to that address. And by her failure to produce it the court is required to dismiss the case and I requested it do so as they have nothing that can legally be introduced, no evidence, no witnesses, no testimony, etc. THEY HAVE NO CASE! It MUST be dismissed. The judge then argued on her behalf that he ordered it to be produced "as soon as practicable" and he then asserted that the day of trial was only about two weeks from the date he ordered they produce it, and thereby the day of trial was acceptable. I then argued that I again agreed that he stated that in the order, but it has no effect as the law he ordered they abide by states that the prosecution SHALL produce it or make it available for examination and copying no less than 20 days BEFORE trial. -- The judge actually spoke over me several times as I attempted to cite that portion of the law for the record in an illegal attempt (misconduct) to keep me from getting it in the record, but I kept raising my voice to assert my rights over his attempt to deprive me of such. I then asserted that I desire to file the motion in limine with the court and after several time of my making the demand, he finally accepted it and only quickly skimmed through the pages then denied it.

The prosecution then stated that they'd agree to a continuance of the trial if I requested it, so that I could have opportunity to get that discovery. I refused by stating that the prosecution has a duty to be prepared for trial and they are not because they have failed to produce discovery as required by law and today is the date of the trial, therefore everything they claim to have is inadmissible as hearsay, therefore the court MUST dismiss the case. The judge chose to defy the procedures of law and forced me

to defend myself on the spot without due process of law. He was allowing them to submit anything and everything they had even though such violated the law and exceeded his authority and jurisdiction.

Upon submission of the exhibits I again objected as inadmissible as hearsay. The judge reprimanded me for my objections. The officer testified against my objections. On cross examination I asked several specific questions such as do you see on any of these documents a notice of certification. He answered no. I asked if these were engineering study or survey reports. He answered no. I asked what the title of these documents was. He responded "Work Order." I asked is a work order the same as an engineering and survey study or report. If I recall correctly he answered "no" (but it may have been that he didn't know). I asked if he was accusing me of a crime. He answered in the affirmative. I then asked if he could tell the jury what each elements of a crime are. He started to say no, but then the prosecutor erupted with an objection that he didn't know that. I objected to her objection and stated "You can't answer for him, and you don't know what he knows." The judge took no actions against her for giving the witness cues on how to answer. -- I then asked the officer if he doesn't know what the elements of a crime are, then how can he accuse someone of committing a crime. Again the prosecutor flew out of her seat with her objected that he couldn't possible know the answer to that and that he wasn't required to know. Again I objected to her conduct and the judge again took no actions against her. He should have disqualified her on the spot and removed her from the court for answering as a witness and giving verbal cues to the witness on how to answer.

The prosecution then brought in a city employee that apparently is in the work order department, to testify about the documents they produced in trial (exhibit #4). I objected as I had never heard of her before, and she had never been made available to me prior to trial. The judge, with complete indifference, overruled my objection. During her response to the prosecutors question she added that there was a study done around 1998 for the placement and need of the sign(s) BUT that DUE TO MAJOR CONSTRUCTION ON THAT ROAD THE SIGNS WERE REMOVED and some time later another city worker decided to have them re-installed at will. In my cross examination we re-addressed that issue. I asked if exhibit #4 was an engineering study or report. She answered no. I asked if she could identify what the documents were. She responded "Work Order." I asked if a work order was anything like a study or report. She said no. I asked if she or the prosecution has supplied ANY engineering study or report. She answered no. I asked if these documents (exhibit #4) were certified. She answered no. I asked what the purpose of most signs including a no right on red sign were/was. She answered "for safety." I asked what was the purpose that was cited for the need for these signs to be placed. She said visibility of cross traffic of less than 150 feet (as is also pointed out in the exhibit #4 and now again in other documents I've received in my open records request - note these other documents were exculpatory and were deprived of me in discovery as well). I asked then if someone had a truck like mine that sat high, had a lift kit and big tires and could see over that hand rail she stated was the obstruction for a mile or two down the road in that direction, then this sign would not apply, would it? She started to respond "no" but again the

prosecutor erupted with objections over her response.

When I cross examined the officer, he testified that all cars had already passed by and there were no more cars anywhere in sight. He testified that I had not pulled out in front of anyone and that I had not startled anyone because there was no one there. I then asked if I caused an accident or injured ANYONE. He answered no. I then restated for clarity, "SO THERE WERE NO INJURED PARTIES?" He answered no. I then motioned the court for an immediate dismissal as the witness has stated there are no injured parties and the evidence, aside of it being inadmissible, does not support that a crime was committed. The judge denied my motion out of hand and with total indifference and arrogance. He intended to have me convicted at any expense.

**Further, as defined under the U.S. Constitution, regardless of "Commercial" drivers license requirements, I have the unalienable RIGHT to Travel without fear of government interference or persecution. This basic RIGHT has been repeatedly deprived of me and I did then and do now live in FEAR of illegal actions against my person and my liberty by my own government.** Freedom of movement under United States law is governed primarily by the Privileges and Immunities Clause of the United States Constitution which states, "The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States." As far back as the circuit court ruling in *Corfield v. Coryell*, 6 Fed. Cas. 546 (1823), the Supreme Court recognized freedom of movement as a fundamental Constitutional right. In *Paul v. Virginia*, 75 U.S. 168 (1869), the Court defined freedom of movement as "right of free ingress into other States, and egress from them."

Further, for the officers of the court to fail to report crimes of other officers of the court is "Misprision of Felony" under Title 18 USC § 4. The Judges in these two municipal courts should also be investigated for failure to prosecute the Attorneys they have conspired with.

Further, the few emails I have received thus far in my open records request not only show an illegally conspired and coordinated vengeful intent "to get me put in jail" but they clearly elude to the fact that these individuals have had further extensive communications in their wanton efforts, and they have FAILED to produce ALL the emails and other things I've requested that would further reveal their bad acts and intents to commit future bad acts, such as the culmination and creation of the bogus, trumped up and CRIMINAL acts of creating the situation to generate fraudulent warrants for my arrest. They have already committed these crimes, but if I am actually arrested (as stated in my open records request letter) then they will have conspired to and actually committed the CRIME of KIDNAPPING and being held for ransom as the courts in the underlying cases DID NOT POSSES THE AUTHORITY OR JURISDICTION OR STANDING TO EXECUTE A TRIAL AS THERE WERE NO INJURED PARTIES WHATSOEVER AS ADMITTED BY OFFICER SHAWN WARD UNDER OATH (in the GP case), AMONG ALL THE MULTITUDE OF VIOLATIONS OF DUE PROCESS AND RULES OF JUDICIAL ADMINISTRATION, AS WELL AS THE MULTITUDE OF COUNTS FOR MISCONDUCT BY THE JUDGE AND PROSECUTORS, including, but



not limited to, the deprivation of the totality of discovery I demanded, including engineering and survey studies and reports (exculpatory evidence), among many other things. For clarity, the emails also reveal a coordination of a criminal enterprise to further violate my rights to due process and liberty as pure retaliation for my standing up for my rights and demanding due process and other protections of law. These are clearly illegal retaliation violations of my Constitutional Right to confront my government for redress of grievances.

Further, the mailing of a huge post card by Grand Prairie, which is labeled "WARRANT NOTIFICATION" I believe is a criminal violation of the fair debt collections act (Title 15 USC § 1692a-n) for not only being a post card mailed through the U.S. Postal system in violation of that act, but in addition as there was no contract for any debt to the government or the corporation of the government, and they never even attempted to provide an "Original Wet Ink Signed Contract" (as it did not exist), and as the due process guarantees of the U.S. and Texas Constitutions and subordinate laws were deprived of me, thereby acts of FRAUD were committed by the FOR PROFIT CORPORATION of the municipalities herein referenced, and in addition they failed to disclose to the jury who the true interested parties (themselves) were, which is defined in the ruling document by Judge Bull "AFTER" the jury ruling, that evidenced the City of Grande Prairie as the beneficiary (by the words "for the benefit and use of the City of Grand Prairie"). As such undisclosed interested parties to the jury, they have by legal definition impeached themselves/itself as bias and prejudice interested corporate parties and/or agents thereof, engaged in fraud and other illegal activities, thereby voiding the entire action by function of law. And there was no evidence or testimony entered (lawfully or otherwise) as to the validation of a debt, therefore there can be no collection for it, therefore any warrant issued for arrest to force a debt collection (as even the court itself started that it was a FINE ONLY action) is in violation of the U.S. and Texas Constitutions of debtors jail. Further to the point of the mailing of the Post Card for the intent to collect a fictional (fraudulent) debt (18 USC § 514 "Fictitious Obligation" prohibited), such is also the crime of "Mail Fraud" (18 USC § 1341, also see 18 USC § 1961, 18 USC § 1951). This is why I requested the disclosure of any and all persons in the Grand Prairie municipality that authorized the illegal mailing of the post card. THEY MUST PROVIDE ME THAT INFORMATION. And the Judge of said municipal court (Chad Bull) MUST report those violations of law to the proper authorities, even if he himself authorized it.

Further, in the Irving case, there were MANY similar violations of law by Judge Rodney Adams and Prosecutor Candace Chappell (and others). I hereby file a complaint for misconduct against each of them as well. Notably in that alleged case, I propounded discovery and they completely ignored it. In fact they INTENTIONALLY and DEFIANTLY ignored it. Additionally, I argued that LIDAR information was INADMISSIBLE AS HEARSAY and cited Waco Case Law that made it abundantly clear that LIDAR HAD NOT BEEN JUDICIALLY NOTICED AND A FULL BLOWN KELLEY GATE KEEPER HEARING WOULD BE REQUIRED BEFORE IT COULD BE JUDICIALLY NOTICED. Judge Rodney Adams CRIMINALLY allowed it to be submitted as evidence anyway 'BECAUSE HE WANTED TO.' Further, the "witness" officer stated

under oath that he had never even read the users manual, among many other admissions that would cause a real judge to throw the case out at the very instant of such admissions. The prosecution, nor the witness provided ANY admissible evidence whatsoever, AND the witness in that case as well admitted THERE WERE NO INJURED PARTIES OF ANY KIND. Again, I motioned the court on more than one occasion to dismiss the case due to these failures to produce evidence or injured parties, and for other violations of law. The judge intentionally and wantonly ignored the law and denied my motions. Further, Judge Adams also CRIMINALLY violated my right to cite the law and the Constitution on MANY occasions, but most notably, he refused to allow me to even utter the words "Corpus Delicti" in front of the jury or allow me to reference what that term means. There are multiple violations of my rights in that single act. In addition, he too refused to allow me to insert referenced to the Constitution or Bill of Rights in the jury instructions/charge. Further, at the start of the alleged trial I again filed 2 motions in limine' and argued their several legal points that made the alleged case not a case at all and in fact was malicious prosecution for which I promised to file complaints against them for such violations of law. Knowing they were put on notice instead of abiding by they law, the CRIMINALLY RETALIATED, as is now confirmed by the emails I've discovered in my open records request to Grand Prairie. Additionally, the Irving court staff then furthered their retaliation by contacting the Texas DPS to assert that I was in violation of my driving privileges and the DPS then did take further illegal actions against me based on said unlawful information. Also note that I had done an Open Records Request with the City of Irving and many of the things I requested WERE NOT PROVIDED, which are further VIOLATIONS OF LAW. Further to the DPS issue, the Texas DPS (including Director Steven McCraw) has repeatedly violated my rights and their duties as is already on record, which has transpired by a fraudulent action from Florida where I was physically abused by a Florida Trooper, Robert Harrigill, and cited for a NON-CRIMINAL Civil Infractions of speeding "49 in a 70 MPH zone." Yes, you read that right! Trooper Harrigill even twice under oath voluntarily admitted that "THE REASON HE PULLED ME OVER WAS BECAUSE HE THOUGHT I WAS HISPANIC!" Not because he thought I was speeding, but because he thought I was Hispanic. Also note that I was deprived of EVERY CONSTITUTIONAL RIGHT in the Florida case including a jury trial, discovery, representation, etc. Further, I was held at gunpoint and assaulted & battered by Trooper Harrigill and I demanded legal action against him, but nothing was done. Further, I demanded that the Texas DPS investigate several violations of my rights by the Florida public servants, but instead, the DPS (including Steven McCraw) furthered the violations by taking illegal additional illegal actions against me and my privileges and rights. Additionally, I have reason to believe that when I complained to the FBI and DOJ about Florida's misconduct as well as Steven McCraw, McCraw then illegally used his insider connections with the FBI to bury the investigation, as is evident by a letter Congressman Michael Burgess received at my request to look into why the FBI had not responded to my complaint. Note: as you certainly know, McCraw is an ex-FBI agent. Further, when I "initiated" a complaint with the Inspector General for the DPS, I stated in my complaint that I had a lot of information and I requested phone and face to face meetings with the investigators to convey the details of my complaint. I never heard anything from her until I then received a letter stating that she's "done a full

investigation" and concluded the DPS was correct. HOW IN THE HELL can she have done a FULL investigation without having EVER contacted me to get my information? She too has committed acts of misconduct and malfeasance, misfeasance, and non-feasance by her actions and lack of actions, both. She too should be investigated for misconduct, and I request you do so.

Again, I have a CONSTITUTIONAL RIGHT to travel without fear from abuse from my own government, yet the government itself has acted to further the abuses by covering them up and then furthering the persecutions against me. IT IS EVERY PUBLIC SERVANTS SWORN DUTY TO PROTECT AND DEFEND EVERY AMERICAN CITIZEN'S INDIVIDUAL RIGHTS, AND I DEMAND THEY DO SO!

**Again, it is my firm belief that there have been many violations of law such as referenced in my several pleadings and herein, by the court staff and officers of the court that warrant a full blown investigation.**

Further, I did a similar Open Records Request from the Irving Municipality and I now know for a fact as evidenced in the emails I now have from Grand Prairie that they have also suppressed the records I requested, and there are now communications that have transpired since then in their coordinated acts to violate my rights, thus a full blown investigation against the Irving staff and officers of the court for their illegal misconduct is also warranted. These abusers, in attempts to try and extort money from me by false accusations of crimes and in violation of my due process rights, have themselves committed several very serious crimes against me and in breach of their official duties under color of law.

I hereby DEMAND to have a sit down, face to face meeting with each and every enforcement entity in regard to my complaints against these public servants where I can fully convey the evidence for their many acts of misconduct. I'd further like to request and hereby do make such request that a qualified attorney be assigned to me to represent me in the entirety of these complaints. I believe such is lawful and required as there are many legal points that I am not qualified to execute, and since there is apparently a warrant for my arrest by the City of Grand Prairie, as bogus and illegal as it is, then I am entitled to such under the Constitutions of the United States and Texas.

You, Mr Attorney General, are the overseer of these public servants and it is your responsibility to make damn sure they are in compliance with the law and to remove them from office and/or take all appropriate actions to remove each and all of them individually and severally from public office and to prosecute them or have the appropriate entities prosecute them for their many acts of misconduct. YOU have a systemic FAILURE of the Texas Judiciary on your hands that violates the rights of thousands, and I'd even say hundreds of thousands of citizens of this once great state that my ancestors gave their blood and treasure to create, and as the head law enforcement officer of the State, YOU are required to take ALL appropriate actions to rectify it. I have conveyed some of this information to your office before, and it's fallen

on deaf ears. I again demand you take all legal actions under the powers of your office to do as I have requested and as you are required by your oath of office, forthwith.

I therefore also make this formal request to schedule a meeting with you directly, face to face, to review these issues and your lawfully required and intended actions thereof. Please have your scheduling staff contact me as soon as possible for the scheduling of said meeting.

It is therefore my prayer that you order them to produce everything I requested and that your office take appropriate actions to forward this complaint to the proper authorities for investigation and prosecution of these rough public servants. I have a Constitutional RIGHT to defend myself and confront my government for redress of grievances without fear of retaliation, and they have each and all violated my several Constitutional Rights and the rights of others. It is further my request that YOU ascertain copies of all the records from both Grand Prairie and Irving municipalities for good keeping so that the municipality can not somehow lose them or "unintentionally" destroy them.

Sincerely,  
Randy Algoe  
P.O. Box 821103  
N. Richland Hills, TX, 76182



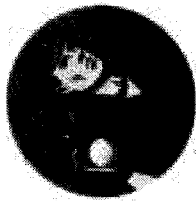
Exhibit "F"

# A NEWLY LEAKED LETTER FROM A MISSOURI MAYOR TO LOCAL POLICE

Date: April 18, 2014

To: Edmondson P. D. - Sergeants and Patrolmen

Subject: Traffic tickets



In the past several weeks, the Board and I have noticed a marked downturn in traffic and other tickets being written by your department. It is correct that we have no quotas and want only "good tickets" written. However, we do have a record of your past performance to compare to your current performance and the picture that I see is a very disappointing one.

I wish to take this opportunity to remind you that the tickets that you write do add to the revenue on which the P. D. budget is established and will directly affect pay adjustments at budget time.

It is and has always been the desire of myself and the Board to provide a safe and pleasant work place with good compensation and benefits for everyone. However, our ability to continue doing this is being compromised by your work slow down. I realize that your work production records are directly affected by many extenuating circumstances and those factors are always accounted for as your work records are reviewed by myself and human resources.

## SHOWS THAT REVENUE GENERATION IS TOP PRIORITY AND THAT COPS' JOBS DEPEND ON HOW MANY TICKETS THEY WRITE

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

## I. (a) PLAINTIFFS

Randy Algoe

## DEFENDANTS

State of Texas Et Al (see attached for full list),

(b) County of Residence of First Listed Plaintiff Tarrant

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Travis

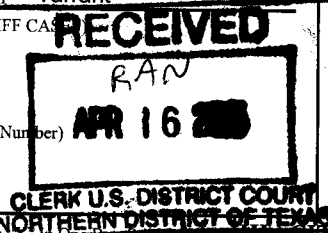
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Pro Se

Attorneys (If Known)



## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- (For Diversity Cases Only)
- |   |   |   |   |                                |   |
|---|---|---|---|--------------------------------|---|
| Citizen of This State                   | PTF <input checked="" type="checkbox"/> 1 | DEF <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | PTF <input type="checkbox"/> 4 | DEF <input checked="" type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2                | <input checked="" type="checkbox"/> 2     | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5     | <input checked="" type="checkbox"/> 5     |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3                | <input type="checkbox"/> 3                | Foreign Nation  | <input type="checkbox"/> 6     | <input type="checkbox"/> 6                |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input checked="" type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	

## V. ORIGIN

(Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

violation of civil rights under Title 42 U.S.C. sec. 1983, 1985, 1986

Brief description of cause:

Hobbs Act, RICO Act, Brady Rule, and a multitude of other civil rights violations.

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ 100,000.00

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) (See instructions)

PENDING OR CLOSED:

JUDGE TX - SEE ATTACHED FOR FULL LIST

DOCKET NUMBER 16141954

DATE 04/15/2015

SIGNATURE OF ATTORNEY OF RECORD

Randy Algoe - Pro Se

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_